

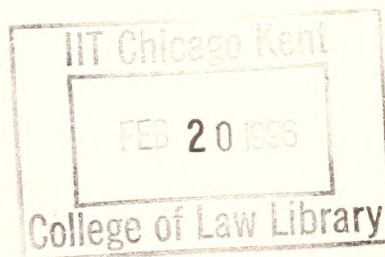
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Illinois Register

Rules of Governmental Agencies

Volume 20, Issue 07— February 16, 1996

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DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Community Care Program
- 2) Code Citation: 89 Ill. Adm. Code 240
- 3) Section Numbers: Proposed Action:
240.1010 Amendment
- 4) Statutory Authority: Sections 4.01(11); 4.02; 4.03; and 5.02 of the Illinois Act on the Aging [20 ILCS 105/4.01(11), 4.02, 4.03, and 5.02]
- 5) A Complete Description of the Subjects and Issues Involved:

The purpose of this rulemaking is to implement Public Act 89-0021 which mandates the Department on Aging to screen all nursing facility applicants 60 years of age or older through the Community Care Program, regardless of the type of payment.

Universal nursing home prescreening will provide all nursing facility applicants with counseling and referral on alternative services and continue to allow them to retain the right to choose nursing facility admission, even if they fail the determination of need screen and nursing facility care is not recommended.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their written comments concerning this rulemaking, within 45 days after the date of this issue of the *Illinois Register*, to:

Ms. Pamela W. Balmer, Assistant
Office of General Counsel
Illinois Department on Aging
421 East Capitol Avenue #100
Springfield, IL 62701-1789
Attention: Nursing Home Prescreening

In addition, the Department will accept oral and written testimony on the

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

proposed amendments at 3 PUBLIC HEARINGS which will be held on the following dates at the location and time specified:

- Date: March 12, 1996 (Tuesday)
Location: State of Illinois Center
160 North LaSalle Street
Room C-500 - 5th Floor
Chicago, Illinois
Time: 1:00 pm to 3:00 pm
- Date: March 14, 1996 (Thursday)
Location: Room 161 (Auditorium)
Michael J. Howlett Building
2nd and Edwards Streets
Springfield, Illinois
Time: 1:00 pm to 3:00 pm
- Date: March 20, 1996 (Wednesday)
Location: Mt. Vernon Convention & Visitors Bureau
Municipal Building West
200 Potomac Boulevard
Mt. Vernon, Illinois
Time: 1:00 pm to 3:00 pm

The rule amendments will have an impact on small businesses. In accordance with Sections 1-20 and 5-20 of the Illinois Administrative Procedure Act, any small business may present their comments to Ms. Pamela W. Balmer at the above address.

Any small business (as defined in Section 1-75 of the Illinois Administrative Procedure Act) commenting on the rule amendment shall indicate their status as such, in writing, in their comments.

If special accommodations/provisions are required, such as a hearing interpreter, please contact the Senior HelpLine at 1-800-252-8966 (voice and TDD), no later than March 1, 1996.

12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: Case Coordination Units
- B) Reporting, bookkeeping or other procedures required for compliance: Reporting, bookkeeping and other procedures commensurate with those established under the Community Care Program.
- C) Types of professional skills necessary for compliance: Professional skills commensurate with the Community Care Program.

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGING

PART 240

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240.120	Services Provided
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DEPARTMENT ON AGING

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 240.1930 Fixed Unit Rate of Reimbursement for Homemaker Service
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- Section
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 240.2030 Unallowable Costs for Homemaker Service
 240.2040 Minimum Direct Service Worker Costs for Homemaker Service
 240.2050 Cost Categories for Homemaker Service

AUTHORITY: Implementing Section 4.02 and authorized by Section 4.01(1) of the Illinois Act on the Aging [20 ILCS 105/4.02 and 4.01(1)].

SOURCE: Emergency rules adopted at 4 Ill. Reg. 1, p. 67, effective December 20, 1979, for a maximum of 150 days; adopted at 4 Ill. Reg. 17, p. 151, effective April 25, 1980; amended at 4 Ill. Reg. 43, p. 86, effective October 15, 1980; emergency amendments at 5 Ill. Reg. 1900, effective February 18, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 12090, effective October 26, 1991; emergency amendments at 6 Ill. Reg. 8455, effective July 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 14953, effective December 1, 1982; amended at 7 Ill. Reg. 8697, effective July 20, 1983; amended at 8 Ill. Reg. 2633; amended at 9 Ill. Reg. 1739, effective January 29, 1985; amended at 9 Ill. Reg. 10208, effective July 1, 1985; emergency amendments at 9 Ill. Reg. 14011, effective August 29, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 5076, effective March 15, 1986; recodified at 12 Ill. Reg. 7980; amended at 13 Ill. Reg. 11193, effective July 1, 1989; emergency amendments at 13 Ill. Reg. 13638, effective August 18, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 17327, effective November 1, 1989; amended at 14 Ill. Reg. 1233, effective January 12, 1990; amended at 14 Ill. Reg. 10732, effective July 1, 1990; emergency amendments at 15 Ill. Reg. 2838, effective February 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10351, effective July 1, 1991; emergency amendments at 15 Ill. Reg. 14593, effective October 1, 1991, for a maximum of 150 days; emergency amendments at 15 Ill. Reg. 17398, effective November 15, 1991, for a maximum of 150 days; emergency amendments suspended at 16 Ill. Reg. 1744; emergency amendments modified in response to a suspension by the Joint Committee on Administrative Rules and reinstated at 16 Ill. Reg. 2943; amended at 15 Ill. Reg. 18568, effective December 13, 1991; emergency amendments at 16 Ill. Reg. 2630, effective February 1, 1992, for a maximum of 150 days; emergency amendments at 16 Ill. Reg. 2901, effective February 6, 1992, to expire June 30, 1992; emergency amendments at 16 Ill. Reg. 4069, effective February 28, 1992, to expire June 30, 1992; amended at 16 Ill. Reg. 11403, effective June 30, 1992;

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

emergency amendments at 16 Ill. Reg. 11625, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11731, effective June 30, 1992; emergency rule added at 16 Ill. Reg. 12615, effective July 23, 1992, for a maximum of 150 days; modified at 16 Ill. Reg. 15680; amended at 16 Ill. Reg. 14565, effective September 8, 1992; amended at 16 Ill. Reg. 18767, effective November 27, 1992; amended at 17 Ill. Reg. 224, effective December 29, 1992; amended at 17 Ill. Reg. 6090, effective April 7, 1993; amended at 18 Ill. Reg. 609, effective February 1, 1994; emergency amendment at 18 Ill. Reg. 5348, effective March 22, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 13375, effective August 19, 1994; amended at 19 Ill. Reg. 9085, effective July 1, 1995; emergency amendment at 19 Ill. Reg. 10186, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12693, effective August 25, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16031, effective November 20, 1995; added at 19 Ill. Reg. 16523, effective December 1, 1995; amended at 20 Ill. Reg. 1493, effective January 10, 1996; amended at 20 Ill. Reg. _____, effective _____.

SUBPART J: SPECIAL SERVICES

Section 240.1010 Nursing Home Prescreening

- a) Nursing home prescreening is the defined as the review and assessment of the need for long term long-term care placement of all individuals age 60 or over, regardless of the payment source, prior to placement in an Intermediate Care Facility (ICF) or Skilled Nursing Facility (SNF). As required by the rules of the Illinois Department of Public Aid--(89--111--Adm--Code--140-642)--this mechanism ensures that an individual who is 60 years of age or older is Medicaid-eligible for who is likely to become Medicaid-eligible within sixty (60) calendar days--from--the--date--of--admission--will--be--assessed--prior--to--placement in an Intermediate Care Facility (ICF) or Skilled Nursing Facility (SNF):
- b) Prescreening shall be accomplished by the administration of the Community Care Program (CCP) Determination of Need, and completion of the Department of Public Aid Interagency Certification of Results (DPA-ICR), and completion of a Department of Mental Health and Developmental Disabilities (DMHDD) Level I identification screening if the individual is determined appropriate for ICF or SNF placement.
- 1) When hospital discharge planners have advised the GER of the imminent risk of ICF or SNF placement of a patient who meets the above criteria and in advance of discharge of the patient, or
- 2) When a GER has been advised of the imminent risk of ICF or SNF placement of an individual in the community:
- c) A GER must complete a BPA ICR form within two (2) work days--from--the receipt of advice of discharge from a hospital or the community.
- d) A GER must also complete within two (2) work days--from--the date of receipt of advice of discharge--a--Department--of--Mental--Health--and Development--Disabilities--(DMHDD)--Level--I--identification--screening--is

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

the individual is determined appropriate for IEP or SNF placement.
 cc) Responsibility for prescreenings shall be vested in the CCUs. However, CCUs may delegate authority to perform prescreenings to hospital discharge planners/social workers who have received Department training by the Department (refer to Section 240.740), regularly attend required ongoing training, and who, in the professional judgement of the CCU, are qualified and approved to administer the CCP Determination of Need.

de) The individual who is prescreened shall: if in-home or community-based services are appropriate, be informed of the available in-home or community-based options; and of his/her right to request Community Care Program (CCP) services; the prescreened individual shall also be advised of his/her right to refuse either nursing-home in-home or community-based or all services.

1) be informed, if in-home or community-based services are appropriate, of the available in-home or community-based options and of his/her right to request Community Care Program (CCP) services; and

2) be advised of his/her right to refuse nursing home, in-home, community-based, or all services; and

3) be informed of the potential financial impact, if not Medicaid and not determined, as prescreened, appropriate for nursing home services, of choosing nursing home placement; and

4) be informed of the potential financial impact of converting to Medicaid after entering a nursing home facility and continuing to be determined, as prescreened, not appropriate for nursing home placement.

e) Postscrening shall occur if an individual is admitted to a nursing home facility without benefit of prescreening.

g) Post-screening may occur:

1) after nursing-home placement in an emergency situation; the CCP shall conduct prescreening within fifteen (15) calendar days from the date of the request for post-screening; or

2) when admission to the nursing home has occurred without benefit of prescreening; and there is a need to apply for Medicaid assistance prior to sixty (60) calendar days from the date of nursing-home admission;

3) in either instance; the CCP--Determination of--Need shall be administered based upon the reported condition of the client--at the time of admission to the nursing home.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Corporate Fiduciary Subsidiaries

2) Code Citation: 38 Ill. Adm. Code 396

3) Section Numbers: Proposed Action:

396.5	New Section
396.10	Amendment
396.20	Renumbered
396.30	Renumbered
396.110	Renumbered
396.120	Renumbered
396.210	New Section
396.220	New Section
396.230	New Section
396.310	New Section
396.320	New Section
396.330	New Section

4) Statutory Authority: Section 5-1(a) of the Corporate Fiduciary Act [205 ILCS 620/5-1(a)].

5) Complete Description of the Subjects and Issues Involved: The rule renames Part 396 from Corporate Fiduciary Subsidiaries to Corporate Fiduciary Applications and Notices. In addition, two new Subparts are added that will set forth the findings that the Agency must make to approve an application by a trust company to establish a branch office and the notice requirements for a bank, savings and loan association or savings bank that seeks to establish a trust branch office.

6) Will this proposed Rule replace an emergency Rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed Rule contain incorporations by reference? No

9) Are there any other proposed Rules pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a State mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons who desire to comment on this proposed rulemaking may submit their comments in writing no later than 45 days after the publication of this Notice to:

Scott D. Clarke
Acting Commissioner

Patrick F. Andre
Division Counsel

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED AMENDMENTS

Commissioner of Banks & Trust Companies
 500 East Monroe Street
 Springfield, Illinois 62701
 (217) 782-7966

Commissioner of Banks & Trust Companies
 310 South Michigan, Suite 2130
 Chicago, Illinois 60604
 (312) 793-2043

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: The Department of Commerce and Community Affairs has determined that corporate fiduciaries are not small businesses. Therefore, the proposed rule was not submitted to the Business Assistance Office.

B) Reporting, bookkeeping or other procedures required for compliance:
 None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendment begins on the next page:

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED AMENDMENTS

TITLE 38: FINANCIAL INSTITUTIONS
 CHAPTER II: COMMISSIONER OF BANKS AND TRUST COMPANIES
 PART 396
 CORPORATE FIDUCIARY APPLICATIONS AND NOTICES SUBSIDIARIES

SUBPART A: GENERAL PROVISIONS

Section	Purpose
396.5	Definitions
396.10	Purpose (Renumbered)
396.20	Factors to be Considered by the Commissioner (Renumbered)

SUBPART B: CORPORATE FIDUCIARY SUBSIDIARIES

396.110	396-20 Purpose
396.120	396-20 Factors to be Considered by the Commissioner

SUBPART C: CORPORATE FIDUCIARY BRANCH OFFICES - APPROVAL

Section	Purpose
396.210	Terms and Conditions for Approval
396.220	Application Procedures

SUBPART D: CORPORATE FIDUCIARY BRANCH OFFICES - NOTICE

Section	Purpose
396.310	Notice Requirements
396.320	Notice Procedures

AUTHORITY: Implementing Sections 1-7(a) and (b) and authorized by Sections 5-1(a) and 1-7(a) of the Corporate Fiduciary Act (205 ILCS 620/1-7(a) and (b) and 5-1(a)).

SOURCE: Adopted at 14 Ill. Reg. 15771, effective September 18, 1990; amended at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONSSection 396.5 Purpose

The Commissioner of Banks and Trust Companies is authorized to promulgate rules setting the terms and conditions for approval of corporate fiduciary applications and notices. The purpose of this Part is to set forth those terms

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PROPOSED AMENDMENTS

and conditions under one heading to facilitate easy reference by the corporate fiduciaries affected.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 396.10 Definitions

"Commissioner" means ~~the Office of~~ the Commissioner of Banks and Trust Companies.

"Corporate ~~corporate~~ fiduciary" shall have the meaning ascribed to it in Section 1-5.05 of the Corporate Fiduciary Act [205 ILCS 620] ~~that~~
 ~~Rev. Stat., ch. 17, par. 1531-1 et seq. as now or hereafter amended.~~

"Corporate ~~corporate~~ fiduciary subsidiary" means a subsidiary of a corporation organized for the purposes of accepting and executing trusts which has received a Certificate of Authority from the Commissioner to accept and execute trusts, but shall not include a state bank, a state savings and loan association, a state savings bank or any subsidiary thereof.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 396.20 Purpose (Renumbered)

(Source: Section 396.20 renumbered to Section 396.110 at 20 Ill. Reg. _____, effective _____)

Section 396.30 Factors to be Considered by the Commissioner (Renumbered)

(Source: Section 396.30 renumbered to Section 396.120 at 20 Ill. Reg. _____, effective _____)

SUBPART B: CORPORATE FIDUCIARY SUBSIDIARIES

Section 396.110 396.20 Purpose

A corporate fiduciary which proposes to establish a subsidiary, whether by incorporating the subsidiary or by acquiring the subsidiary, shall apply, on an application specified by the Commissioner, for approval from the Commissioner, not less than 90 days prior to commencing business by the subsidiary if newly incorporated, or prior to its acquisition if it is acquired.

(Source: Section 396.110 renumbered from Section 396.20 at 20 Ill. Reg. _____, effective _____)

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Section 396.120 396.30 Factors to be Considered by the Commissioner

When reviewing an application to establish a corporate fiduciary subsidiary, the following factors are relevant:

- the types of activities to be conducted by the corporate fiduciary subsidiary (i.e., title insurance, employee benefit services, and bookkeeping services);
- the earnings potential of the corporate fiduciary subsidiary (i.e., the earnings are sufficient to meet the current and anticipated needs of the subsidiary as identified in the business plan);
- the general character and experience of the management of the corporate fiduciary subsidiary (i.e., background, formal education, and practical experience in the types of services to be provided by the subsidiary); and
- the effect of the corporate fiduciary subsidiary upon the financial condition of the corporate fiduciary.

(Source: Section 396.120 renumbered from Section 396.30 at 20 Ill. Reg. _____, effective _____)

SUBPART C: CORPORATE FIDUCIARY BRANCH OFFICES -- APPROVAL

Section 396.210 Purpose

Section 1-7(a) of the Corporate Fiduciary Act requires any corporate fiduciary that is a trust company to apply for and obtain approval from the Commissioner thirty days prior to the purchasing or leasing of land, building, or equipment for the establishment of a branch office. This Subpart sets forth the terms and conditions a trust company must satisfy in order for the Commissioner to approve its application for the establishment of a branch office.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 396.220 Terms and Conditions for Approval

A trust company must demonstrate the following in order for the Commissioner to approve its application to establish a branch office:

- That the trust company's aggregate direct and indirect fixed asset investment, including lease obligations, will be reasonable in relation to its projected earnings, capital, surplus and reserves, and liquidity.
- That the expense of establishing and operating the branch office will not have an undue effect on the trust company's earnings.
- That the management of the trust company and the branch has demonstrated or will demonstrate the ability to operate the trust company branch office in a safe and sound manner.
- That the trust company has developed procedures for operations.

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controls and audits at the branch office, including but not limited to facilities for safekeeping and recordkeeping.

- e) That the types of activities proposed to be performed at the branch office are consistent with and within the scope of the activities performed by the trust company and authorized by the trust company's certificate of authority.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 396.230 Application Procedures

- a) A trust company that intends to establish a branch office shall file an application for approval with the Commissioner on forms prescribed by the Commissioner.

- b) The application shall be deemed filed when the Commission has received the applicable filing fee and a completed application form, including all of the supporting documentation necessary to determine that the terms and conditions set forth in this rule have been satisfied.

(Source: Added at 20 Ill. Reg. _____, effective _____)

SUBPART D: CORPORATE FIDUCIARY BRANCH OFFICES - NOTICE

Section 396.310 Purpose

Section 1-7(a) of the Corporate Fiduciary Act requires any corporate fiduciary that is a bank savings and loan association, or savings bank, to give notice of its intent to establish a branch to the Commissioner thirty days prior to the purchasing or leasing of land, building, or equipment for the establishment of a branch office. This Subpart sets forth the items to be included in the notice of intent.

(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 396.320 Notice Requirements

The notice of intent to establish a branch office, from a corporate fiduciary that is a bank, savings and loan association, or savings bank, to the Commissioner shall include the following information:

- a) The names and qualifications of the proposed branch management.
- b) A copy of the procedures for operations, controls and audits at the branch office, including but not limited to facilities for safekeeping and recordkeeping.
- c) A list of the activities proposed to be performed at the branch office.

COMMISSIONER OF BANKS AND TRUST COMPANIES

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(Source: Added at 20 Ill. Reg. _____, effective _____)

Section 396.330 Notice Procedures

- a) A corporate fiduciary that is a bank, savings and loan association, or savings bank that intends to establish a branch office shall file a notice of intent with the Commissioner on forms prescribed by the Commissioner.

- b) The notice of intent shall be deemed filed when the Commissioner has received the applicable filing fee and a completed notice form, including all of the supporting documentation specified in the notice form.

(Source: Added at 20 Ill. Reg. _____, effective _____)

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Operating Procedures for the Administration of Federal Funds

2) Code Citation: 20 Ill. Adm. Code 1520

3) Section Numbers:
1520.10
1520.47
1520.50

Proposed Action
Amendment
New Section
Amendment

4) Statutory Authority: Implementing and authorized by the Illinois Criminal Justice Information Act [20 ILCS 3930].

5) A Complete Description of the Subjects and Issues Involved: Delineates operating procedures for the administration of Violence Against Women Act of 1994 (P.L. 103-322, effective September 13, 1994) federal grant funds to State agencies, units of local government, and nonprofit, nongovernmental victim services programs, and appeals taken therefrom.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: These rules are being proposed to inform prospective recipients and grantees of Violence Against Women Act of 1994 federal grant funds administered by the Illinois Criminal Justice Information Authority of the procedures and requirements which will control the administration of those funds.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rules may be submitted in writing for a period of 45 days following publication of this notice to:

Kristi J. Kangas, Legal Advisor
Illinois Criminal Justice Information Authority
120 S. Riverside Plaza
Chicago, Illinois 60606-3997
(312) 793-8550

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: The rule may affect small municipalities and not for profit corporations in that they are potential recipients of

grant funds.

B) Reporting, bookkeeping or other procedures required for compliance: Small municipalities and not for profit corporations receiving Violence Against Women Act of 1994 funds are, accordingly, subject to State and federal provisions concerning reporting, bookkeeping and other procedures that apply to recipients of such funds.

C) Types of professional skills necessary for compliance: None.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments is identical to the text of the emergency amendments appearing in this Register on page _____.

DEPARTMENT OF NATURAL RESOURCES

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Rental of Boats and Boating Facilities

2) Code Citation: 17 Ill. Adm. Code 210

3) Section Numbers: Proposed Action:

210.20

Amendments

4) Statutory Authority: Implementing and authorized by Sections 63a14, 63a15, 63a21, and 63a22 of the Civil Administrative Code of Illinois [20 ILCS 805/63a14, 63a15, 63a21 and 63a22].

5) A Complete Description of the Subjects and Issues Involved: Language is being added to this Section to facilitate the use of either a DNR CA6 form or a pre-numbered form provided by the concessionaire and approved by DNR in the use of rental boats and/or accessories.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this Proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield, IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Concessionaires renting boats.

B) Reporting, bookkeeping or other procedures required for compliance: Completion of a form CA-6 provided by the Department of Natural Resources or a pre-numbered boat registration form provided by the concessionaire and approved by the Department.

C) Types of professional skills necessary for compliance: No professional skills are required.

13) Regulatory Agenda on which this rulemaking was summarized: July 1995

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 17: CONSERVATION
 CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
 SUBCHAPTER a: LANDS AND HISTORIC SITES

PART 210
 RENTAL OF BOATS AND BOATING FACILITIES

Section	
210.10	Safety Requirements
210.20	Rental Procedures
210.30	Boat Rental Fees
210.35	Docking Fees
210.40	Additional Information

AUTHORITY: Implementing and authorized by Sections 63a14, 63a15, 63a21, and 63a22 of the Civil Administrative Code of Illinois [20 ILCS 805/63a14, 63a15, 63a21 and 63a22].

SOURCE: Adopted at 9 Ill. Reg. 2912, effective February 26, 1985; amended at 9 Ill. Reg. 10248, effective June 26, 1985; amended at 14 Ill. Reg. 2013, effective January 23, 1990; amended at 19 Ill. Reg. 16062, effective November 21, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 210.20 Rental Procedures

- a) All persons renting boats must complete a boat registration form CA-6 provided by DNR or a pre-numbered boat registration form provided by the concessionaire and approved by DNR at the time and location of the rental. The boat, when rented, is not transferable to another person, unless such person is a part of the family or a member of a group associated with the person renting the boat. Except upon other arrangements with the renter, the boat should be returned by the person who rented the boat. No person under 14 years of age shall be permitted to rent a State or concessionaire owned boat, paddle boat, canoe or other watercraft.
- b) Boats may be rented when available and returned before 8 p.m. the same day unless prior arrangements have been made with the person from whom the boat was rented to keep the boat overnight. A person not returning a boat by 8 p.m. without such prior arrangement will be charged an additional day's fee. If a person making arrangements to keep a boat overnight does not return the boat by 8 a.m. the next day, rent will be charged for that day in addition to the fee for the previous day. Campers who arrange to rent boats for more than one day may beach the boats near their campsites overnight in lieu of returning them to the concession each night.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT(S)

_____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3) Section Numbers:
- | | |
|---------|-------------|
| 720.110 | Amended |
| 720.111 | Amended |
| 720.120 | Amended |
| 720.123 | New Section |
- 4) Statutory Authority: 415 ILCS 5/22.4 and 27
- 5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay

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granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize describe the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in City of Chicago v. Environmental Defense Fund, Inc., 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the Illinois regulations. First, USEPA amended its methods for testing

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hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA

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indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 720 are based on the federal actions of January 13, April 4 (both actions), and May 11, 1995. The amendments of January 13 and April 4 updated testing methods used under the hazardous waste management program. Those of May 11 added definitions and incorporations by reference for the purposes of the universal waste rule. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? Yes. Section 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments update the reference to the federal testing methods of SW-846 and the versions of 40 CFR 136 referenced. They also include new incorporations for the universal waste rules. Thus, references are added to 49 CFR 171 and 173 and for the federal Food, Drug, and Cosmetic Act.

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.

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Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. That aspect of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. That aspect related to updated testing methods should have no effect on the regulatory burden.

C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. That aspect of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. That aspect related to updated testing methods should have no effect on the regulatory burden.

D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 720

HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART A: GENERAL PROVISIONS

Section	Purpose, Scope and Applicability
720.101	Availability of Information; Confidentiality of Information
720.102	Use of Number and Gender
720.103	

SUBPART B: DEFINITIONS

Section	Definitions
720.110	References
720.111	

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section	Rulemaking
720.120	Alternative Equivalent Testing Methods
720.121	Waste Delisting
720.122	Petitions for Regulation as Universal Waste
720.123	Procedures for Solid Waste Determinations
720.130	Solid Waste Determinations
720.131	Boiler Determinations
720.132	Procedures for Determinations
720.133	Additional regulation of certain hazardous waste Recycling Activities on a case-by-case Basis
720.140	Procedures for case-by-case regulation of hazardous waste Recycling Activities
720.141	

APPENDIX A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in

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R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART B: DEFINITIONS

Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 726 and 728 only, the following terms have the meanings given below:

"Aboveground tank" means a device meeting the definition of "tank" that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

"Act" or "RCRA" means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.)

"Active life" of a facility means the period from the initial receipt of hazardous waste at the facility until the Agency receives certification of final closure.

"Active portion" means that portion of a facility where treatment, storage or disposal operations are being or have been conducted after May 19, 1980, and which is not a closed portion. (See also "closed portion" and "inactive portion".)

"Administrator" means the Administrator of the U.S. Environmental

POLLUTION CONTROL BOARD

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Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

"Ancillary equipment" means any device including, but not limited to, such devices as piping, fittings, flanges, valves and pumps, that is used to distribute, meter or control the flow of hazardous waste from its point of generation to storage or treatment tank(s), between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

"Aquifer" means a geologic formation, group of formations or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

"Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent or person of equivalent responsibility.

"Battery" means a device consisting of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Board" means the Illinois Pollution Control Board.

"Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids or heated gases; and the unit's combustion chamber and primary energy recovery Section(s) must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery Section(s) (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit. A unit in which the combustion chamber and the primary energy recovery Section(s) are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber and the primary energy recovery Section.

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The following units are not precluded from being boilers solely because they are not of integral design: process heaters (units that transfer energy directly to a process stream), and fluidized bed combustion units; and

While in operation, the unit must maintain a thermal energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

The unit must export and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, no credit shall be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps); or

The unit is one which the Board has determined, on a case-by-case basis, to be a boiler, after considering the standards in Section 720.132.

"Carbon regeneration unit" means any enclosed thermal treatment device used to regenerate spent activated carbon.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"Closed Portion" means that portion of a facility which an owner or operator has closed in accordance with the approved facility closure plan and all applicable closure requirements. (See also "active portion" and "inactive portion".)

"Component" means either the tank or ancillary equipment of a tank system.

"Confined aquifer" means an aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer itself; an aquifer containing confined groundwater.

"Container" means any portable device in which a material is stored, transported, treated, disposed of or otherwise handled.

"Containment Building" means a hazardous waste management unit that is used to store or treat hazardous waste under the provisions of 35 Ill. Adm. Code 724.Subpart DD and 35 Ill. Adm. Code 725.Subpart DD.

"Contingency plan" means a document setting out an organized, planned and coordinated course of action to be followed in case of a fire,

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explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: USEPA H-S--EPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"Corrosion expert" means a person who, by reason of knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

"Designated facility" means a hazardous waste treatment, storage or disposal facility,

Which:

Has received a RCRA permit (or interim status) pursuant to 35 Ill. Adm. Code 702, 703 and 705;

Has received a RCRA permit from USEPA H-S--EPA pursuant to 40 CFR 124 and 270 (1992);

Has received a RCRA permit from a state authorized by USEPA H-S--EPA pursuant to 40 CFR 271 (1992); or

Is regulated under 35 Ill. Adm. Code 721.106(c)(2) or 266.Subpart F; and

Which has been designated on the manifest by the generator pursuant to 35 Ill. Adm. Code 722.120.

If a waste is destined to a facility in a state, other than Illinois, which has been authorized by USEPA H-S--EPA pursuant to 40 CFR 271, but which has not yet obtained authorization to

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regulate that waste as hazardous, then the designated facility must be a facility allowed by the receiving state to accept such waste.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for the purposes of managing that category of universal waste.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids or other materials.

"Director" means the Director of the Illinois Environmental Protection Agency.

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous waste into or on any land or water.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

"Disposal facility" means a facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water and at which waste will remain after closure. The term disposal facility does not include a corrective action management unit (CAMU) into which remediation wastes are placed.

"Drip pad" means an engineered structure consisting of a curbed, free-draining base, constructed of non-earthen materials and designed to convey preservative kick-back or dripage from treated wood, precipitation and surface water run-on to an associated collection system at wood preserving plants.

"Elementary neutralization unit" means a device which:

Is used for neutralizing wastes which are hazardous only because they exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122 or are listed in 35 Ill. Adm. Code 721.Subpart D only for this reason; and

Meets the definition of tank, tank system, container, transport

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vehicle or vessel in this Section.

"BPA" or "B-S" or "BPA" or "B-S" means--United--States--Environmental Protection Agency:

"EPA hazardous waste number" or "USEPA B-S" or "EPA hazardous waste number" or "USEPA hazardous waste number" means the number assigned by EPA to each hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D and to each characteristic identified in 35 Ill. Adm. Code 721.Subpart C.

"EPA identification number" or "USEPA B-S" or "EPA identification number" or "USEPA identification number" means the number assigned by USEPA B-S" or "BPA" pursuant to 35 Ill. Adm. Code 722 through 725 to each generator, transporter and treatment, storage or disposal facility.

"EPA region" means the states and territories found in any one of the following ten regions:

Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island

Region II: New York, New Jersey, Commonwealth of Puerto Rico and the U.S. Virgin Islands

Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia and the District of Columbia

Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina and Florida

Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana and Ohio

Region VI: New Mexico, Oklahoma, Arkansas, Louisiana and Texas

Region VII: Nebraska, Kansas, Missouri and Iowa

Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah and Colorado

Region IX: California, Nevada, Arizona, Hawaii, Guam, American Samoa and Commonwealth of the Northern Mariana Islands

Region X: Washington, Oregon, Idaho and Alaska

"Equivalent method" means any testing or analytical method approved by the Board pursuant to Section 720.120.

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"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980. A facility had commenced construction if the owner or operator had obtained the federal, state and local approvals or permits necessary to begin physical construction and either:

A continuous on-site, physical construction program had begun or

The owner or operator had entered into contractual obligations -- which could not be cancelled or modified without substantial loss -- for physical construction of the facility to be completed within a reasonable time.

"Existing portion" means that land surface area of an existing waste management unit, included in the original Part A permit application, on which wastes have been placed prior to the issuance of a permit.

"Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of hazardous waste and that is in operation, or for which installation has commenced on or prior to July 14, 1986. Installation will be considered to have commenced if the owner or operator has obtained all federal, State and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either:

A continuous on-site physical construction or installation program has begun; or

The owner or operator has entered into contractual obligations -- which cannot be canceled or modified without substantial loss -- for physical construction of the site or installation of the tank system to be completed within a reasonable time.

"Facility" means:

All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

For the purpose of implementing corrective action under 35 Ill. Adm. Code 724.201, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing corrective action under RCRA Section 3008(h).

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"Final closure" means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities under 35 Ill. Adm. Code 724 and 725 are no longer conducted at the facility unless subject to the provisions of 35 Ill. Adm. Code 722.134.

"Federal agency" means any department, agency or other instrumentality of the federal government, any independent agency or establishment of the federal government including any government corporation and the Government Printing Office.

"Federal, State ~~state~~ and local approvals or permits necessary to begin physical construction" means permits and approvals required under federal, State ~~state~~ or local hazardous waste control statutes, regulations or ordinances.

"Food-chain crops" means tobacco, crops grown for human consumption and crops grown for feed for animals whose products are consumed by humans.

"Freeboard" means the vertical distance between the top of a tank or surface impoundment dike and the surface of the waste contained therein.

"Free liquids" means liquids which readily separate from the solid portion of a waste under ambient temperature and pressure.

"Generator" means any person, by site, whose act or process produce hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation.

"Groundwater" means water below the land surface in a zone of saturation.

"Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste constituent" means a constituent which caused the hazardous waste to be listed in 35 Ill. Adm. Code 721.Subpart D, or a constituent listed in 35 Ill. Adm. Code 721.124.

"Hazardous waste management unit" is a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is significant likelihood of mixing hazardous waste constituents in the same area. Examples of hazardous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill cell, an incinerator, a tank and its associated piping and underlying containment system and a container storage area. A container alone

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does not constitute a unit; the unit includes containers and the land or pad upon which they are placed.

"Inactive portion" means that portion of a facility which is not operated after November 19, 1980. (See also "active portion" and "closed portion".)

"Incinerator" means any enclosed device that:

Uses controlled flame combustion and neither:

Meets the criteria for classification as a boiler, sludge dryer or carbon regeneration unit, nor

Is listed as an industrial furnace; or

Meets the definition of infrared incinerator or plasma arc incinerator.

"Incompatible waste" means a hazardous waste which is suitable for:

Placement in a particular device or facility because it may cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

Commingling with another waste or material under uncontrolled conditions because the commingling might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, mists, fumes or gases or flammable fumes or gases.

(See 35 Ill. Adm. Code 725. Appendix E for examples.)

"Industrial furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy:

Cement kilns

Lime kilns

Aggregate kilns

Phosphate kilns

Coke ovens

Blast furnaces

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Smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters and foundry furnaces)

Titanium dioxide chloride process oxidation reactors

Methane reforming furnaces

Pulping liquor recovery furnaces

Combustion devices used in the recovery of sulfur values from spent sulfuric acid

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least 3%, the acid product is used in a manufacturing process and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20%, as generated.

Any other such device as the Agency determines to be an "Industrial Furnace" on the basis of one or more of the following factors:

The design and use of the device primarily to accomplish recovery of material products;

The use of the device to burn or reduce raw materials to make a material product;

The use of the device to burn or reduce secondary materials as effective substitutes for raw materials, in processes using raw materials as principal feedstocks;

The use of the device to burn or reduce secondary materials as ingredients in an industrial process to make a material product;

The use of the device in common industrial practice to produce a material product; and

Other relevant factors.

"Individual generation site" means the contiguous site at or on which one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more

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sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.

"Infrared incinerator" means any enclosed device which uses electric powered resistance heaters as a source of radiant heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Inground tank" means a device meeting the definition of "tank" whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

"In operation" refers to a facility which is treating, storing or disposing of hazardous waste.

"Injection well" means a well into which fluids are being injected. (See also "underground injection".)

"Inner liner" means a continuous layer of material placed inside a tank or container which protects the construction materials of the tank or container from the contained waste or reagents used to treat the waste.

"Installation inspector" means a person who, by reason of knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

"International shipment" means the transportation of hazardous waste into or out of the jurisdiction of the United States.

"Land treatment facility" means a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

"Landfill" means a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or corrective action management unit (CAMU).

"Landfill cell" means a discrete volume of a hazardous waste landfill which uses a liner to provide isolation of wastes from adjacent cells or wastes. Examples of landfill cells are trenches and pits.

"LDS" means leak detection system.

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"Leachate" means any liquid, including any suspended components in the liquid, that has percolated through or drained from hazardous waste.

"Liner" means a continuous layer of natural or manmade materials beneath or on the sides of a surface impoundment, landfill or landfill cell, which restricts the downward or lateral escape of hazardous waste, hazardous waste constituents or leachate.

"Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of hazardous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of hazardous waste into the secondary containment structure.

"Management" or "hazardous waste management" means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous waste.

"Manifest" means the shipping document originated and signed by the generator which contains the information required by 35 Ill. Adm. Code 722.Subpart B.

"Manifest document number" means the USEPA 48-S-PPA twelve digit identification number assigned to the generator plus a unique five digit document number assigned to the manifest by the generator for recording and reporting purposes.

"Mining overburden returned to the mine site" means any material overlying an economic mineral deposit which is removed to gain access to that deposit and is then used for reclamation of a surface mine.

"Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored or disposed of and which is not a container, tank, tank system, surface impoundment, pile, land treatment unit, landfill, incinerator, boiler, industrial furnace, underground injection well with appropriate technical standards under 35 Ill. Adm. Code 730, containment building, corrective action management unit (CAMU), or a unit eligible for a research, development and demonstration permit under 35 Ill. Adm. Code 703.231.

"Movement" means that hazardous waste transported to a facility in an individual vehicle.

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"New hazardous waste management facility" or "new facility" means a facility which began operation, or for which construction commenced, after November 19, 1980. (See also "Existing hazardous waste management facility".)

"New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of hazardous waste and for which installation commenced after July 14, 1986; except, however, for purposes of 35 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for which construction commences after July 14, 1986. (See also "existing tank system".)

"Onground tank" means a device meeting the definition of "tank" that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

"On-site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered on-site property.

"Open burning" means the combustion of any material without the following characteristics:

Control of combustion air to maintain adequate temperature for efficient combustion;

Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

Control of emission of the gaseous combustion products.

(See also "incineration" and "thermal treatment".)

"Operator" means the person responsible for the overall operation of a facility.

"Owner" means the person who owns a facility or part of a facility.

"Partial closure" means the closure of a hazardous waste management unit in accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or 725 at a facility which contains other active hazardous waste management units. For example, partial closure may

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include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile or other hazardous waste management unit, while other units of the same facility continue to operate.

"person" means an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state or any interstate body.

"personnel" or "facility personnel" means all persons who work at or oversee the operations of a hazardous waste facility and whose actions or failure to act may result in noncompliance with the requirements of 35 Ill. Adm. Code 724 or 725.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under Section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA); 21 U.S.C. Section 321(v)), incorporated by reference in Section 720.111,

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services pursuant to FFDCA Section 512, incorporated by reference in Section 720.111, to be an exempted new animal drug, or

It is an animal feed under FFDCA Section 201(w) (21 U.S.C. Section 321(w)), incorporated by reference in Section 720.111 that bears or contains any substances described in either of the two preceding subsections of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 260.10 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug". This is very similar to the language of Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIRFA; 7 U.S.C. Section 136(u)). The three exceptions, taken together, appear intended not to include as "pesticide" any material within the scope of federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"Pile" means any noncontainerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage, and that is not

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a containment building.

"Plasma arc incinerator" means any enclosed device which uses a high intensity electrical discharge or arc as a source of heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Point source" means any discernible, confined and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

"Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code 310.110.

"Qualified groundwater scientist" means a scientist or engineer who has received a baccalaureate or post-graduate degree in the natural sciences or engineering, and has sufficient training and experience in groundwater hydrology and related fields, as demonstrated by state registration, professional certifications or completion of accredited university courses that enable the individual to make sound professional judgments regarding groundwater monitoring and containment fate and transport.

BOARD NOTE: "State registration" includes, but is not limited to, registration as a professional engineer with the Department of Professional Regulation, pursuant to ~~Ill. Rev. Stat. 1991, ch. 117, par. 5201-1~~ 225 ILCS 325/1 and 68 Ill. Adm. Code 1380. "Professional certification" includes, but is not limited to, certification under the certified ground water professional program of the National Ground Water Association.

"Regional Administrator" means the Regional Administrator for the EPA Region in which the facility is located or the Regional Administrator's designee.

"Remediation waste" means all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris that contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic which are managed for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA Section 3008(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing RCRA sections 3004(v) or 3008(h) for releases beyond the facility boundary.

~~"Representative sample" means a sample of a universe or whole (e.g.,~~

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~~waste-pile, lagoon, groundwater) which can be expected to exhibit the average properties of the universe or whole.~~

"Replacement unit" means a landfill, surface impoundment or waste pile unit from which all or substantially all of the waste is removed, and which is subsequently reused to treat, store or dispose of hazardous waste. "Replacement unit" does not include a unit from which waste is removed during closure, if the subsequent reuse solely involves the disposal of waste from that unit and other closing units or corrective action areas at the facility, in accordance with a closure or corrective action plan approved by USEPA 8-9-BPA or the Agency.

~~"Representative sample" means a sample of a universe or whole (e.g., waste pile, lagoon, groundwater) which can be expected to exhibit the average properties of the universe or whole.~~

"Runoff" means any rainwater, leachate or other liquid that drains over land from any part of a facility.

"Runon" means any rainwater, leachate or other liquid that drains over land onto any part of a facility.

"Saturated zone" or "zone of saturation" means that part of the earth's crust in which all voids are filled with water.

"SIC Code" means Standard Industrial Code as defined in Standard Industrial Classification Manual, incorporated by reference in Section 720.111.

"Sludge" means any solid, semi-solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

"Sludge dryer" means any enclosed thermal treatment device which is used to dehydrate sludge and which has a total thermal input, excluding the heating value of the sludge itself, of 2500 Btu/lb or less of sludge treated on a wet weight basis.

"Small Quantity Generator" means a generator which generates less than 1000 kg of hazardous waste in a calendar month.

"Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.

"Sorbent" means a material that is used to soak up free liquids by either adsorption or absorption, or both. "Sorb" means to either adsorb or absorb, or both.

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"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment or disposal facilities; except that, as used in the landfill, surface impoundment and waste pile rules, "sump" means any lined pit or reservoir that serves to collect liquids drained from a leachate collection and removal system or leak detection system for subsequent removal from the system.

"State" means any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

"Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of or stored elsewhere.

"Surface impoundment" or "impoundment" means a facility or part of a facility which is a natural topographic depression, manmade excavation or diked area formed primarily of earthen materials (although it may be lined with manmade materials) which is designed to hold an accumulation of liquid wastes or wastes containing free liquids and which is not an injection well. Examples of surface impoundments are holding, storage, settling and aeration pits, ponds and lagoons.

"Tank" means a stationary device, designed to contain an accumulation of hazardous waste which is constructed primarily of nonearthen materials (e.g., wood, concrete, steel, plastic) which provide structural support.

"Tank system" means a hazardous waste storage or treatment tank and its associated ancillary equipment and containment system.

"Thermal treatment" means the treatment of hazardous waste in a device which uses elevated temperatures as the primary means to change the chemical, physical or biological character or composition of the hazardous waste. Examples of thermal treatment processes are incineration, molten salt, pyrolysis, calcination, wet air oxidation and microwave discharge. (See also "incinerator" and "open burning".)

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with the requirements of 35 Ill. Adm. Code 733.133(c)(2) or 733.133(c)(2).

"Totally enclosed treatment facility" means a facility for the treatment of hazardous waste which is directly connected to an

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industrial production process and which is constructed and operated in a manner which prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. An example is a pipe in which waste acid is neutralized.

"Transfer facility" means any transportation related facility including loading docks, parking areas, storage areas and other similar areas where shipments of hazardous waste are held during the normal course of transportation.

"Transport vehicle" means a motor vehicle or rail car used for the transportation of cargo by any mode. Each cargo - carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

"Transportation" means the movement of hazardous waste by air, rail, highway or water.

"Transporter" means a person engaged in the off - site transportation of hazardous waste by air, rail, highway or water.

"Treatability study" means:

A study in which a hazardous waste is subjected to a treatment process to determine:

Whether the waste is amenable to the treatment process.

What pretreatment (if any) is required.

The optimal process conditions needed to achieve the desired treatment.

The efficiency of a treatment process for a specific waste or wastes. Or,

The characteristics and volumes of residuals from a particular treatment process.

Also included in this definition for the purpose of 35 Ill. Adm. Code 721.104(e) and (f) exemptions are liner compatibility, corrosion and other material compatibility studies and toxicological and health effects studies. A "treatability study" is not a means to commercially treat or dispose of hazardous waste.

"Treatment" means any method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of any hazardous waste so as to

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neutralize such waste, or so as to recover energy or material resources from the waste or so as to render such waste non-hazardous or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage or reduced in volume.

"Treatment zone" means a soil area of the unsaturated zone of a land treatment unit within which hazardous constituents are degraded, transformed or immobilized.

"Underground injection" means the subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. (See also "injection well".)

"Underground tank" means a device meeting the definition of "tank" whose entire surface area is totally below the surface of and covered by the ground.

"Unfit-for-use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating hazardous waste without posing a threat of release of hazardous waste to the environment.

~~"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.~~

"United States" means the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

"Universal waste" means any of the following hazardous wastes that are managed under the universal waste requirement of 35 Ill. Adm. Code 733:

Batteries, as described in 35 Ill. Adm. Code 733.102;

Pesticides, as described in 35 Ill. Adm. Code 733.103; and

Thermostats, as described in 35 Ill. Adm. Code 733.104.

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal

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waste handlers, accumulates the universal waste, and sends that universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean:

A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

"Unsaturated zone" or "zone of aeration" means the zone between the land surface and the water table.

"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

"USDOT" or "Department of Transportation" means the United States Department of Transportation.

"Used oil" means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

"USEPA" or "EPA" or "U.S. EPA" means the United States Environmental Protection Agency.

"Vessel" includes every description of watercraft, used or capable of being used as a means of transportation on the water.

"Wastewater treatment unit" means a device which:

Is part of a wastewater treatment facility which has an NPDES permit pursuant to 35 Ill. Adm. Code 309 or a pretreatment permit or authorization to discharge pursuant to 35 Ill. Adm. Code 310; and

Receives and treats or stores an influent wastewater which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or generates and accumulates a wastewater treatment sludge which is

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a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater treatment sludge which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

Meets the definition of tank or tank system in this Section.

"Water (bulk shipment)" means the bulk transportation of hazardous waste which is loaded or carried on board a vessel without containers or labels.

"Well" means any shaft or pit dug or bored into the earth, generally of a cylindrical form, and often walled with bricks or tubing to prevent the earth from caving in.

"Well injection" (See "underground injection").

"Zone of engineering control" means an area under the control of the owner or operator that, upon detection of a hazardous waste release, can be readily cleaned up prior to the release of hazardous waste or hazardous constituents to groundwater or surface water.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 720.111 References

a) The following publications are incorporated by reference:

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, 212-354-3300:

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, Michigan 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted September, 1983.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, 202-682-8000:

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems", API Recommended Practice 1632, Second Edition, December, 1987.

"Evaporative Loss from External Floating-Roof Tanks", API Publication 2517, Third Edition, February, 1989.

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"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks", 4th Edition, 1981, reaffirmed December, 1987.

"Installation of Underground Petroleum Storage Systems", API Recommended Practice 1615, Fourth Edition, November, 1987.

APTI. Available from the Air and Waste Management Association, Box 2861, Pittsburgh, PA 15230, 412-232-3444:

APTI Course 415: Control of Gaseous Emissions, USEPA R-S: EPA Publication EPA-450/2-81-005, December, 1981.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, 212-705-7722:

"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3 - 1987, as supplemented by B31.3a - 1988 and B31.3b - 1988. Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4 - 1986, as supplemented by B31.4a - 1987. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, 215-299-5400:

ASTM C94-90, Standard Specification for Ready-Mixed Concrete, approved March 30, 1990.

ASTM D98-87, Standard Test Method for Saybolt Viscosity, April 24, 1981, reapproved January, 1987.

ASTM D93-85, Standard Test Methods for Flash Point by Pensky - Martens Closed Tester, approved October 25, 1985.

ASTM D1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, approved March 30, 1990.

ASTM D2161-87, Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furol Viscosity, March 27, 1987.

ASTM D2267-88, Standard Test Method for Aromatics in Light Naphthalas and Aviation Gasolines by Gas Chromatography,

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approved November 17, 1988.

ASTM D2382-88, Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), approved October 31, 1988.

ASTM D2879-86, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved October 31, 1986.

ASTM D 2879-92, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1992.

ASTM D3828-87, Standard Test Methods for Flash Point of Liquids by Setflash Closed Tester, approved December 14, 1988.

ASTM E168-88, Standard Practices for General Techniques of Infrared Quantitative Analysis, approved May 27, 1988.

ASTM E169-87, Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved February 1, 1987.

ASTM E260-85, Standard Practice for Packed Column Gas Chromatography, approved June 28, 1985.

ASTM E926-88 C, Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analysis of Metals, Bomb-Acid Digestion Method, approved March 35, 1988.

ASTM Method G21-70 (1984a) -- Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungus.

ASTM Method G22-76 (1984b) -- Standard Practice for Determining Resistance of Plastics to Bacteria.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, 202-783-3238:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983

"Test Methods for Evaluating Solid Waste, Physical/Chemical

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Methods", USEPA 8-S-846 Publication number SW-846 (Third Edition, November, 1986), as amended by Updates I (July, 1992), II (September, 1994), and IIA (August, 1993), and IIB (January, 1995) (Document Number 955-001-00000-1) (contact 8-S-846, Office of Solid-Waste, or MISE7-as-indicated below, for Update-III).

MISE7--Available from Methods-Information-Communication--Service7 at-703-821-4789;

Test-Method--for-Evaluating-Solid-Waste-Physical-Chemical Methods--8-S-846-Publication-number-SW-846--(Third-Edition-November-1986)--Update-III--(Document-Number-955-001-00000-1)--(contact-6807-as-indicated-above--for SW-846-and-Update-III).

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, 713-492-0535;

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP0285-85, approved March, 1985.

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, 617-770-3000 or 800-344-3555;

"Flammable and Combustible Liquids Code" NFPA 30, issued July 17, 1987. Also available from ANSI.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-487-4600;

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Guidance on Air Quality Models", Revised 1986. (Document number PB86-245-248 (Guideline) and PB88-150-958 (Supplement)).

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677).

"Methods Manual for Compliance with BIF Regulations", December, 1990. (Document number PB91-120-006).

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"Petitions to Delist Hazardous Wastes--A Guidance Manual", EPA/530-SW-85-003, April, 1985. (Document Number PB 85-194488).

"Procedures Manual for Ground Water Monitoring at Solid Waste Disposal Facilities", EPA-530/SW-611, 1977. (Document number PB 84-174820).

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", October, 1992, Publication Number EPA-450/R-92-019.

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, 708-498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

USEPA. U-S-7--BPA- Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

U-S-7--BPA-7--Available from U-S-7-BPA-7-Office-of-Solid-Waste-(Mail Code-530477-401-M-Street-SW-Washington-B-6--20460:

"Test-Methods-for-Evaluating-Solid-Waste-Physical-Chemical Methods"-U-S-7-BPA-Publication-number-SW-046-(Third-Edition-November-1986)-Update-11A-Document-Number-955-081-0000-1)-(Contact-609--as-indicated-above--for SW-046-and-Update-17.

U-S-7-BPA-7--Available from U-S-7-BPA-7-Number-P-90-WPW-PBPBP-7--Room M24277-401-M-Street-SW-Washington-B-6--20460-202-475-9327.

"Test-Method-0290--Procedures-for-the-Detection-and Measurement-of-PCBBS-and-PCBPS"-EPA/530-SW-91-019-(January 1991)

USEPA U-S-9--BPA Available from Receptor Analysis Branch, USEPA U-S-9--BPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October, 1992, Publication Number EPA-450/R-92-019.

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b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, 202-783-3238:

10 CFR 20, Appendix B (1994)

40 CFR 51.100(ii) (1994)

40 CFR 51, Subpart W (1994)

40 CFR 60 (1994), as amended at 59 Fed. Reg. 62924 (Dec. 6, 1994)

40 CFR 61, Subpart V (1994)

40 CFR 136 (1994), as amended at 60 Fed. Reg. 17160 (Apr. 4, 1995)

40 CFR 142 (1994)

40 CFR 220 (1994)

40 CFR 260.20 (1994)

40 CFR 264 (1994)

40 CFR 268, Appendix IX (1994)

40 CFR 302.4, 302.5 and 302.6 (1994)

40 CFR 761 (1994)

49 CFR 178 (1994)

c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), as amended through December 31, 1987.

Sections 201(v), 201(w), and 360b(j) of the Federal Food, Drug, and Cosmetic Act (FFDCA; 21 U.S.C. Sections 321(v), 321 (w) and 512(j)), as amended through October 25, 1991.

d) This Section incorporates no later editions or amendments.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

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Section 720.120 Rulemaking

petition.

(Source: Added at 20 Ill. Reg. _____, effective _____)

a) Any person may petition the Board to adopt as State regulations rules that ~~which~~ are identical in substance with newly-adopted federal amendments or regulations. The petition shall take the form of a proposal for rulemaking pursuant to 35 Ill. Adm. Code 102. The proposal shall include a listing of all amendments to 40 CFR 260 through 266, ~~and~~ 268, or 273 that ~~which~~ have been made since the last preceding amendment or proposal to amend 35 Ill. Adm. Code 720 through 726, 728 ~~and--268~~, or 733, pursuant to Section 22.4(a) of the Environmental Protection Act.

b) Any person may petition the Board to adopt amendments or additional regulations not identical in substance with federal regulations. Such proposal shall conform to 35 Ill. Adm. Code 102 and Title VII and Section 22.4(b) or 22.4(c) of the Environmental Protection Act.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 720.123 Petitions for Regulation as Universal Waste

a) Any person seeking to add a hazardous waste or a category of hazardous waste to the universal waste regulations of 35 Ill. Adm. Code 733 may petition for a regulatory amendment under this Section, Section 720.120, and 35 Ill. Adm. Code 733.Subpart G.

b) To be successful, the petitioner must:

1) Demonstrate that regulation under the universal waste regulations of 35 Ill. Adm. Code 733 is appropriate for the waste or category of waste;

2) Demonstrate that regulation under 35 Ill. Adm. Code 733 will improve management practices for the waste or category of waste;

3) Demonstrate that regulation under 35 Ill. Adm. Code 733 will

improve implementation of the hazardous waste program; and

4) Include the information required by Section 720.120(b). The petition should also address as many of the factors listed in 35 Ill. Adm. Code 733.181 as are appropriate for the waste or category of waste addressed in the petition.

c) The Board will grant or deny a petition using the factors listed in 35 Ill. Adm. Code 733.181. The decision will be based on the weight of evidence that shows the following with regard to regulation under 35 Ill. Adm. Code 733:

1) That it is appropriate for the waste or category of waste,

2) That it will improve management practices for the waste or category of waste, and

3) That it will improve implementation of the hazardous waste program.

d) The Board may request additional information to that set forth in 35 Ill. Adm. Code 733.181, as needed to evaluate the merits of the

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1) Heading of the Part: Identification and Listing of Hazardous Waste

2) Code Citation: 35 Ill. Adm. Code 721

3) Section Numbers: Proposed Action:

721.103 Amended

721.104 Amended

721.105 Amended

721.106 Amended

721.109 New Section

721.130 Amended

721.132 Amended

721.133 Amended

721.App. G Amended

721.App. I, Tab. B Amended

4) Statutory Authority: 415 ILCS 5/22.4 and 27

5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's proposed opinion of February 1, 1995, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket

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R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize describe the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On

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April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no

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amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 721 are based on the federal amendments of February 3 and 9, April 17, May 11 and 12, and June 13, 1995. The Board updated the note to the City of Chicago case to reflect the interpretive action of February 3. The Board added the carbamate waste and hazardous constituent listings in response to the federal actions of February 9, April 17, and May 12, 1995. The Board added the provisions relating to the universal waste rules adopted by USEPA on May 11, 1995. Finally, the Board added the CSI waste delisting granted on June 13, 1995. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference?

Yes. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 723, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments update the version of SW-846 incorporated by reference in the existing text of Part 721.

9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation,

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transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agreman, at 312-814-3620.

- 12) Initial regulatory flexibility analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

- B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. Those aspects of the present amendments relating to the universal waste regulations and those relating to the CSI delisting may tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. On the other hand, those aspects relating to the carbamate waste listings may tend to increase the burden by subjecting new wastes to management under the hazardous waste system.

- C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. Those aspects of the present amendments relating to the universal waste regulations and those relating to the CSI may tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the

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more burdensome generally-applicable hazardous waste management standards. On the other hand, those aspects relating to the carbamate waste listings may tend to increase the burden by subjecting new wastes to management under the hazardous waste system.

- D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

- 13) Regulatory Agenda on which this rulemaking summarized: January 1996

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721

IDENTIFICATION AND LISTING OF
HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section	Quantity
721.101	Purpose of Scope
721.102	Definition of Solid Waste
721.103	Definition of Hazardous Waste
721.104	Exclusions
721.105	Special Requirements for Hazardous Waste Generated by Small Quantity Generators
721.106	Requirements for Recyclable Materials
721.107	Residues of Hazardous Waste in Empty Containers
721.108	PCB Wastes Regulated under TSCA
721.109	Requirements for Universal Waste

SUBPART B: CRITERIA FOR IDENTIFYING THE
CHARACTERISTICS OF HAZARDOUS WASTE
AND FOR LISTING HAZARDOUS WASTES

Section	Criteria for Identifying the Characteristics of Hazardous Waste
721.110	Criteria for Listing Hazardous Waste
721.111	

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	General
721.120	Characteristic of Ignitability
721.121	Characteristic of Corrosivity
721.122	Characteristic of Reactivity
721.123	Toxicity Characteristic
721.124	

SUBPART D: LISTS OF HAZARDOUS WASTE

Section	General
721.130	Hazardous Wastes From Nonspecific Sources
721.131	Hazardous Waste from Specific Sources
721.132	Discarded Commercial Chemical Products, Off-Specification Species,
721.133	Container Residues and Spill Residues Thereof

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721.135 Wood Preserving Wastes

APPENDIX A	Representative Sampling Methods
APPENDIX B	Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX C	Chemical Analysis Test Methods
TABLE A	Analytical Characteristics of Organic Chemicals (Repealed)
TABLE B	Analytical Characteristics of Inorganic Species (Repealed)
TABLE C	Sample Preparation/Sample Introduction Techniques (Repealed)
APPENDIX G	Basis for Listing Hazardous Wastes
APPENDIX H	Hazardous Constituents
APPENDIX I	Wastes Excluded by Administrative Action
TABLE A	Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Non-Specific Sources
TABLE B	Wastes Excluded by USEPA W-S-BPA under 40 CFR 260.20 and 260.22 from Specific Sources
TABLE C	Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
TABLE D	Wastes Excluded by the Board by Adjusted Standard
APPENDIX J	Method of Analysis of Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)
APPENDIX Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended

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in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17490, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9522, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 721.103 Definition of Hazardous Waste

- a) A solid waste, as defined in Section 721.102, is a hazardous waste if:
- 1) It is not excluded from regulation as a hazardous waste under Section 721.104(b); and
 - 2) It meets any of the following criteria:
 - A) It exhibits any of the characteristics of hazardous waste identified in 721.Subpart C.
 - i) Except that any mixture of a waste from the extraction, beneficiation, or processing of ores or minerals excluded under Section 721.104(b)(7) and any other solid waste exhibiting a characteristic of hazardous waste under 721.Subpart C is a hazardous waste only: if it exhibits a characteristic that would not have been exhibited by the excluded waste alone if such mixture had not occurred, or if it continues to exhibit any of the characteristics exhibited by the non-excluded wastes prior to mixture.
 - ii) Further, for the purposes of applying the toxicity characteristic to such mixtures under subsection (a)(2)(A)(i) above, the mixture is also a hazardous waste: if it exceeds the maximum concentration for any contaminant listed in Section 721.124 that would not have been exceeded by the excluded waste alone if the mixture had not occurred, or if it continues to exceed the maximum concentration for any contaminant exceeded by the nonexempt waste prior to mixture.
 - B) It is listed in 721.Subpart D and has not been excluded from the lists in 721.Subpart D under 35 Ill. Adm. Code 720.120 and 720.122.
 - C) It is a mixture of a solid waste and a hazardous waste that is listed in 721.Subpart D solely because it exhibits one or more of the characteristics of hazardous waste identified in 721.Subpart C, unless:
 - i) the resultant mixture no longer exhibits any

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- characteristic of hazardous waste identified in 721.Subpart C, or
- ii) the solid waste is excluded from regulation under Section 721.104(b)(7) and the resultant mixture no longer exhibits any characteristic of hazardous waste identified in 721.Subpart C for which the hazardous waste listed in 721.Subpart D was listed.
 - iii) Nonwastewater mixtures are still subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.
- D) It is a mixture of solid waste and one or more hazardous wastes listed in 721.Subpart D and has not been excluded from this subsection (a)(2) under 35 Ill. Adm. Code 720.120 and 720.122; however, the following mixtures of solid wastes and hazardous wastes listed in 721.Subpart D are not hazardous wastes (except by application of subsection (a)(2)(A) or (a)(2)(B) above) if the generator demonstrates that the mixture consists of wastewater the discharge of which is subject to regulation under either 35 Ill. Adm. Code 309 or 310 (including wastewater at facilities that have eliminated the discharge of wastewater) and:
- i) One or more of the following solvents listed in Section 721.131: carbon tetrachloride, tetrachloroethylene, trichloroethylene, provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 1 part per million; **or**
 - ii) One or more of the following spent solvents listed in Section 721.131: methylene chloride, 1,1,1-trichloroethane, cresols, chlorobenzene, o-dichlorobenzene, cresylic acid, carbon nitrobenzene, toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, spent chlorofluorocarbon solvents, provided that the maximum total weekly usage of these solvents (other than the amounts that can be demonstrated not to be discharged to wastewater) divided by the average weekly flow of wastewater into the headworks of the facility's wastewater treatment or pretreatment system does not exceed 25 parts per million; **or**
 - iii) One of the following wastes listed in Section 721.132: heat exchanger bundle cleaning sludge from the petroleum refining industry (USEPA#9-S-1---EPA hazardous waste no. K050); **or**

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provided that the maximum concentration of formaldehyde, methyl chloride, methylene chloride, and triethylamine prior to any dilutions into the headworks of the facility's wastewater treatment system does not exceed a total of 5 milligrams per liter.

E) Rebuttable presumption for used oil. Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in 721.Subpart D. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by using an analytical method from SW-846, incorporated by reference at 35 Ill. Adm. Code 720.111, to show that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in 721.Appendix H).

i) The rebuttable presumption does not apply to metalworking oils or fluids containing chlorinated paraffins if they are processed through a tolling arrangement as described in 35 Ill. Adm. Code 739.124(c) to reclaim metalworking oils or fluids. The presumption does apply to metalworking oils or fluids if such oils or fluids are recycled in any other manner, or disposed.

ii) The rebuttable presumption does not apply to used oils contaminated with chlorofluorocarbons (CFCs) removed from refrigeration units where the CFCs are destined for reclamation. The rebuttable presumption does apply to used oils contaminated with CFCs that have been mixed with used oil from sources other than refrigeration units.

b) A solid waste that is not excluded from regulation under subsection (a)(1) above becomes a hazardous waste when any of the following events occur:

- 1) In the case of a waste listed in 721.Subpart D, when the waste first meets the listing description set forth in 721.Subpart D.
- 2) In the case of a mixture of solid waste and one or more listed hazardous wastes, when a hazardous waste listed in 721.Subpart D is first added to the solid waste.
- 3) In the case of any other waste (including a waste mixture), when the waste exhibits any of the characteristics identified in 721.Subpart C.

c) Unless and until it meets the criteria of subsection (d) below, a hazardous waste will remain a hazardous waste.

BOARD NOTE: This subsection corresponds with 40 CFR 261.3(c)(1). The Board has codified 40 CFR 261.3(c)(2) at subsection (e) below.

d) Any solid waste described in subsection (c) above is not a hazardous waste if it meets the following criteria:

- 1) In the case of any solid waste, it does not exhibit any of the

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iv) A discarded commercial chemical product or chemical intermediate listed in Section 721.133 arising from de minimis losses of these materials from manufacturing operations in which these materials are used as raw materials or are produced in the manufacturing process. For purposes of this subsection, "de minimis" losses include those from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers, leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purgings; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinsate from empty containers or from containers that are rendered empty by that rinsing; or

v) Wastewater resulting from laboratory operations containing toxic (T) wastes listed in 721.Subpart D, provided that the annualized average flow of laboratory wastewater does not exceed one percent of total wastewater flow into the headworks of the facility's wastewater treatment or pretreatment system or provided that the wastes combined annualized average concentration does not exceed one part per million in the headworks of the facility's wastewater treatment or pretreatment facility. Toxic (T) wastes used in laboratories that are demonstrated not to be discharged to wastewater are not to be included in this calculation.

vi) One or more of the following wastes listed in Section 721.132: wastewaters from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K157), provided that the maximum weekly usage of formaldehyde, methyl chloride, methylene chloride, and triethylamine (including all amounts that cannot be demonstrated to be reacted in the process, destroyed through treatment, or recovered (i.e., what is discharged or volatilized) divided by the average weekly flow of process wastewater prior to any dilutions into the headworks of the facility's wastewater treatment system does not exceed a total of 5 parts per million by weight; or

vii) Wastewaters derived from the treatment of one or more of the following wastes listed in Section 721.132: organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K156),

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characteristics of hazardous waste identified in 721.Subpart C. (However, wastes that exhibit a characteristic at the point of generation may still be subject to the requirements of 35 Ill. Adm. Code 728, even if they no longer exhibit a characteristic at the point of land disposal.)

- 2) In the case of a waste that is a listed waste under 721.Subpart D, a waste that contains a waste listed under 721.Subpart D, or a waste that is a derived from a waste listed in 721.Subpart D, it also has been excluded from subsection (c) above under 35 Ill. Adm. Code 720.120 and 720.122.

e) Specific inclusions and exclusions.

- 1) Except as otherwise provided in subsection (e)(2) below, any solid waste generated from the treatment, storage, or disposal of a hazardous waste, including any sludge, spill residue, ash, emission control dust, or leachate (but not including precipitation run-off), is a hazardous waste. (However, materials that are reclaimed from solid wastes and that are used beneficially are not solid wastes and hence are not hazardous wastes under this provision unless the reclaimed material is burned for energy recovery or used in a manner constituting disposal.)
- 2) The following solid wastes are not hazardous even though they are generated from the treatment, storage, or disposal of a hazardous waste unless they exhibit one or more of the characteristic of hazardous waste:

- A) Waste pickle liquor sludge generated by lime stabilization of spent pickle liquor from the iron and steel industry (SIC Codes 331 and 332).
- B) Wastes from burning any of the materials exempted from regulation by any of Section 721.106(a)(3)(D) through(a)(3)(F).
- C) Nonwastewater residues, such as slag, resulting from high temperature metal recovery (HTMR) processing of K061, K062, or F006 waste in the units identified in this subsection that are disposed of in non-hazardous waste units, provided that these residues meet the generic exclusion levels identified in the tables in this subsection for all constituents and the residues exhibit no characteristics of hazardous waste. The types of units identified are rotary kilns, flame reactors, electric furnaces, plasma arc furnaces, slag reactors, rotary hearth furnace/electric furnace combinations, or the following types of industrial furnaces (as defined in 35 Ill. Adm. Code 720.110): blast furnaces, smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters, and foundry furnaces), and other furnaces designated by the Agency pursuant to that definition.

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- (i) Testing requirements must be incorporated in a facility's waste analysis plan or a generator's self-implementing waste analysis plan; at a minimum, composite samples of residues must be collected and analyzed quarterly and when the process or operation generating the waste changes.

- (ii) Persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements. The generic exclusion levels are:

Constituent	Maximum for any single composite sample (mg/L)
Generic exclusion levels for K061 and K062 nonwastewater HTMR residues.	

Antimony.....	0.10
Arsenic.....	0.50
Barium.....	7.6
Beryllium.....	0.010
Cadmium.....	0.050
Chromium (total).....	0.33
Lead.....	0.15
Mercury.....	0.009
Nickel.....	1.0
Selenium.....	0.16
Silver.....	0.30
Thallium.....	0.020
Vanadium.....	1.26
Zinc.....	70-

Generic exclusion levels for F006 nonwastewater HTMR residues

Antimony.....	0.10
Arsenic.....	0.50
Barium.....	7.6
Beryllium.....	0.010
Cadmium.....	0.050
Chromium (total).....	0.33
Cyanide (total) (mg/kg).....	1.8
Lead.....	0.15
Mercury.....	0.009
Nickel.....	1.0
Selenium.....	0.16
Silver.....	0.30

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Thallium..... 0.020
Zinc..... 707

(iii) A one-time notification and certification must be placed in the facility's files and sent to the Agency (or, for out-of-State shipments, to the appropriate Regional Administrator of USEPA 9-S--BPA or the state agency authorized to implement 40 CFR 268 requirements) for K061, K062, or F006 HTMR residues that meet the generic exclusion levels for all constituents and do not exhibit any characteristics and which are sent to RCRA Subtitle D (municipal solid waste landfill) units. The notification and certification that is placed in the generator's or treater's files must be updated if the process or operation generating the waste changes or if the RCRA Subtitle D unit receiving the waste changes. However, the generator or treater need only notify the Agency on an annual basis if such changes occur. Such notification and certification should be sent to the Agency by the end of the calendar year, but no later than December 31. The notification must include the following information: the name and address of the nonhazardous waste management unit receiving the waste shipment; the USEPA 9-S--BPA hazardous waste number and treatability group at the initial point of generation; and the treatment standards applicable to the waste at the initial point of generation. The certification must be signed by an authorized representative and must state as follows:

"I certify under penalty of law that the generic exclusion levels for all constituents have been met without impermissible dilution and that no characteristic of hazardous waste is exhibited. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment."

BOARD NOTE: This subsection would normally correspond with 40 CFR 261.3(e), a subsection which has been deleted and marked "reserved" by USEPA 9-S--BPA. Rather, this subsection corresponds with 40 CFR 261.3(c)(2), which the Board codified here to comport with codification requirements and enhance clarity.

D) Biological treatment sludge from the treatment of one of the following wastes listed in Section 721.132: organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of

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carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K156) and wastewaters from the production of carbamates and carbamoyl oximes (USEPA Hazardous Waste No. K157).

f) Notwithstanding subsections (a) through (e) above and provided the debris, as defined in 35 Ill. Adm. Code 728.102, does not exhibit a characteristic identified at 721-Subpart D, the following materials are not subject to regulation under 35 Ill. Adm. Code 720, 721 to 726, 728, or 730:

- 1) Hazardous debris as defined in 35 Ill. Adm. Code 728.102 that has been treated using one of the required extraction or destruction technologies specified in 35 Ill. Adm. Code 728. Table F; persons claiming this exclusion in an enforcement action will have the burden of proving by clear and convincing evidence that the material meets all of the exclusion requirements; or
- 2) Debris as defined in 35 Ill. Adm. Code 728.102 that the Agency, considering the extent of contamination, has determined is no longer contaminated with hazardous waste.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.104 Exclusions

a) Materials that are not solid wastes. The following materials are not solid wastes for the purpose of this Part:

- 1) Sewage:
 - A) Domestic sewage; and
 - B) Any mixture of domestic sewage and other waste that passes through a sewer system to publicly-owned treatment works for treatment.
- C) "Domestic sewage" means untreated sanitary wastes that pass through a sewer system.
- 2) Industrial wastewater discharges that are point source discharges with NPDES permits issued by the Agency pursuant to Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.
BOARD NOTE: This exclusion applies only to the actual point source discharge. It does not exclude industrial wastewaters while they are being collected, stored, or treated before discharge, nor does it exclude sludges that are generated by industrial wastewater treatment.
- 3) Irrigation return flows.
- 4) Source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.)
- 5) Materials subjected to in-situ mining techniques that are not removed from the ground as part of the extraction process.
- 6) Pulping liquors (i.e., black liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process, unless accumulated speculatively, as defined in Section

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- 721.101(c).
- 7) Spent sulfuric acid used to produce virgin sulfuric acid, unless it is accumulated speculatively, as defined in Section 721.101(c).
- 8) Secondary materials that are reclaimed and returned to the original process or processes in which they were generated where they are reused in the production process, provided:
- A) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other comparable enclosed means of conveyance;
- B) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces or incinerators);
- C) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed; and
- D) The reclaimed material is not used to produce a fuel or used to produce products that are used in a manner constituting disposal.
- 9) Wood preserving wastes.
- A) Spent wood preserving solutions that have been used and which are reclaimed and reused for their original intended purpose; and
- B) Wastewaters from the wood preserving process that have been reclaimed and which are reused to treat wood.
- 10) Hazardous waste numbers K060, K087, K141, K142, K143, K144, K145, K147, and K148, and any wastes from the coke by-products processes that are hazardous only because they exhibit the toxicity characteristic specified in Section 721.124, when subsequent to generation these materials are recycled to coke ovens, to the tar recovery process as a feedstock to produce coal tar, or are mixed with coal tar prior to the tar's sale or refining. This exclusion is conditioned on there being no land disposal of the waste from the point it is generated to the point it is recycled to coke ovens, to tar recovery, to the tar refining processes, or prior to when it is mixed with coal.
- 11) Nonwastewater splash condenser gross residue from the treatment of hazardous waste number K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery.
- 12) Recovered oil from petroleum refining, exploration, and production and from transportation incident thereto that is to be inserted into the petroleum refining process (SIC Code 2911) along with normal process streams prior to crude distillation or catalytic cracking. This exclusion applies to recovered oil stored or transported prior to insertion, except that the oil must not be stored in a manner involving placement on the land and the oil must not be accumulated speculatively before being

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recycled. Recovered oil is oil that has been reclaimed from secondary materials (such as wastewater) generated from normal petroleum refining, exploration and production, and transportation practices. Recovered oil includes oil that is recovered from refinery wastewater collection and treatment systems, oil recovered from oil and gas drilling operations, and oil recovered from waste removed from crude oil storage tanks. Recovered oil does not include (among other things) oil-bearing hazardous waste listed in 721.Subpart D (e.g., K048 through K052, F037, and F038). However, oil recovered from such wastes may be considered recovered oil. Recovered oil also does not include used oil as defined in 35 Ill. Adm. Code 739.100.

- b) Solid wastes that are not hazardous wastes. The following solid wastes are not hazardous wastes:

1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse-derived fuel), or reused. "Household waste" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels, and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under this Part, if such facility:

- A) Receives and burns only:
- i) Household waste (from single and multiple dwellings, hotels, motels, and other residential sources); and
 - ii) Solid waste from commercial or industrial sources that does not contain hazardous waste, and

B) Such facility does not accept hazardous waste and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.

BOARD NOTE: The U.S. Supreme Court determined, in *City of Chicago v. Environmental Defense Fund, Inc.*, -- U.S. --, 114 S. Ct. 1588 (May-27, 1994), that this exclusion and RCRA section 3001(i) (42 U.S.C. 6921(i)) do not exclude the ash from facilities covered by this subsection from regulation as a hazardous waste. At 59 Fed. Reg. 29372 (June 7, 1994), USEPA B-7-BPA granted facilities managing ash from such facilities that is determined a hazardous waste under 721.Subpart C until December 7, 1994 to file a Part A permit application pursuant to 35 Ill. Adm. Code 703.181. At 60 Fed. Reg. 5666 (Feb. 3, 1995), USEPA stated that it interpreted that the point at which ash becomes subject to RCRA Subtitle C regulation is when that material

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leaves the combustion building (including connected air pollution control equipment).

- 2) Solid wastes generated by any of the following that are returned to the soil as fertilizers:

A) The growing and harvesting of agricultural crops, or
B) The raising of animals, including animal manures.

- 3) Mining overburden returned to the mine site.

- 4) Fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, except as provided in 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.

- 5) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy.

- 6) Chromium wastes:

A) Wastes that fail the test for the toxicity characteristic (Section 721.124 and Appendix B) because chromium is present or which are listed in 721.Subpart D due to the presence of chromium, that do not fail the test for the toxicity characteristic for any other constituent or which are not listed due to the presence of any other constituent, and that do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that:

i) The chromium in the waste is exclusively (or nearly exclusively) trivalent chromium;

ii) The waste is generated from an industrial process that uses trivalent chromium exclusively (or nearly exclusively) and the process does not generate hexavalent chromium; and

iii) The waste is typically and frequently managed in non-oxidizing environments.

- B) Specific wastes that meet the standard in subsection (b)(6)(A) above (so long as they do not fail the test for the toxicity characteristic for any other constituent and do not exhibit any other characteristic) are:

i) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

ii) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

iii) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair

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pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue;

iv) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

v) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

vi) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, and through-the-blue;

vii) Waste scrap leather from the leather tanning industry, the shoe manufacturing industry, and other leather product manufacturing industries; and

viii) Wastewater treatment sludges from the production of titanium dioxide pigment using chromium-bearing ores by the chloride process.

7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste. For purposes of this subsection, beneficiation of ores and minerals is restricted to the following activities: crushing, grinding, washing, dissolution, crystallization, filtration, sorting, sizing, drying, sintering, pelletizing, briquetting, calcining to remove water or carbon dioxide, roasting, autoclaving or chlorination in preparation for leaching (except where the roasting or autoclaving or chlorination and leaching sequence produces a final or intermediate product that does not undergo further beneficiation or processing), gravity concentration, magnetic separation, electrostatic separation, floatation, ion exchange, solvent extraction, electrowinning, precipitation, amalgamation, and heap, dump, vat tank, and in situ leaching. For the purposes of this subsection, solid waste from the processing of ores and minerals includes only the following wastes:

A) Slag from primary copper processing,

B) Slag from primary lead processing,

C) Red and brown muds from bauxite refining,

D) Phosphogypsum from phosphoric acid production,

E) Slag from elemental phosphorus production,

F) Gassifier ash from coal gasification,

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- G) Process wastewater from coal gasification,
 H) Calcium sulfate wastewater treatment plant sludge from primary copper processing,
 I) Slag tailings from primary copper processing,
 J) Fluorogypsum from hydrofluoric acid production,
 K) Process wastewater from hydrofluoric acid production,
 L) Air pollution control dust or sludge from iron blast furnaces,
 M) Iron blast furnace slag,
 N) Treated residue from roasting and leaching of chrome ore,
 O) Process wastewater from primary magnesium processing by the anhydrous process,
 P) Process wastewater from phosphoric acid production,
 Q) Basic oxygen furnace and open hearth furnace air pollution control dust or sludge from carbon steel production,
 R) Basic oxygen furnace and open hearth furnace slag from carbon steel production,
 S) Chloride processing waste solids from titanium tetrachloride production, and
 T) Slag from primary zinc smelting.
- 8) Cement kiln dust waste, except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.
- 9) Solid waste that consists of discarded arsenical-treated wood or wood products that fails the test for the toxicity characteristic for hazardous waste codes D004 through D017 and which is not a hazardous waste for any other reason if the waste is generated by persons that utilize the arsenical-treated wood and wood products for these materials' intended end use.
- 10) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of Section 721.124 (hazardous waste codes D018 through D043 only) and which are subject to corrective action regulations under 35 Ill. Adm. Code 731.
- 11) This subsection corresponds with 40 CFR 261.4(b)(11), which expired by its own terms on January 25, 1993. This statement maintains structural parity with USEPA 49--BPA regulations.
- 12) Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems that uses chlorofluorocarbons as the heat transfer fluid in a refrigeration cycle, provided the refrigerant is reclaimed for further use.
- 13) Non-terne plated used oil filters that are not mixed with wastes listed in 721.Subpart D, if these oil filters have been gravity hot-drained using one of the following methods:
 A) Puncturing the filter anti-drain back valve or the filter dome end and hot-draining;
 B) Hot-draining and crushing;
 C) Dismantling and hot-draining; or

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- D) Any other equivalent hot-draining method that will remove used oil.
- 14) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.
- c) Hazardous wastes that are exempted from certain regulations. A hazardous waste that is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit, or an associated non-waste-treatment manufacturing unit, is not subject to regulation under 35 Ill. Adm. Code 702, 703, 705, and 722 through 725, and 728 or to the notification requirements of Section 3010 of RCRA until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing or for storage or transportation of product or raw materials.
- d) Samples.
- 1) Except as provided in subsection (d)(2) below, a sample of solid waste or a sample of water, soil, or air that is collected for the sole purpose of testing to determine its characteristics or composition is not subject to any requirements of this Part or 35 Ill. Adm. Code 702, 703, 705 and 722 through 728. The sample qualifies when:
- A) The sample is being transported to a laboratory for the purpose of testing;
 B) The sample is being transported back to the sample collector after testing;
 C) The sample is being stored by the sample collector before transport to a laboratory for testing;
 D) The sample is being stored in a laboratory before testing;
 E) The sample is being stored in a laboratory for testing but before it is returned to the sample collector; or
 F) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).
- 2) In order to qualify for the exemption in subsection (d)(1)(A) or (d)(1)(B) above, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector shall:
- A) Comply with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
 B) Comply with the following requirements if the sample collector determines that DOT, USPS, or other shipping requirements do not apply to the shipment of the sample:
 1) Assume that the following information accompanies the sample: The sample collector's name, mailing address,

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and telephone number; the laboratory's name, mailing address, and telephone number; the quantity of the sample; the date of the shipment; and a description of the sample.

ii) Package the sample so that it does not leak, spill, or vaporize from its packaging.

3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in subsection (d)(1) above.

e) Treatability study samples.

1) Except as is provided in subsection (e)(2) below, a person that generates or collects samples for the purpose of conducting treatability studies, as defined in 35 Ill. Adm. Code 720.110, are not subject to any requirement of 35 Ill. Adm. Code 721 through 723 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act. Nor are such samples included in the quantity determinations of Section 721.105 and 35 Ill. Adm. Code 722.134(d) when:

A) The sample is being collected and prepared for transportation by the generator or sample collector;

B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or

C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study.

2) The exemption in subsection (e)(1) above is applicable to samples of hazardous waste being collected and shipped for the purpose of conducting treatability studies provided that:

A) The generator or sample collector uses (in "treatability studies") no more than 10,000 kg of media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media, 1 kg of acute hazardous waste, or 2500 kg of media contaminated with acute hazardous waste for each process being evaluated for each generated wastestream;

B) The mass of each shipment does not exceed 10,000 kg; the 10,000 kg quantity may be all media contaminated with non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste;

C) The sample must be packaged so that it does not leak, spill, or vaporize from its packaging during shipment and the requirements of subsections (e)(2)(C)(i) or (e)(2)(C)(ii), below, are met.

i) The transportation of each sample shipment complies with U.S. Department of Transportation (DOT), U.S. Postal Service (USPS), or any other applicable shipping requirements; or

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ii) If the DOT, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample: The name, mailing address, and telephone number of the originator of the sample; the name, address, and telephone number of the facility that will perform the treatability study; the quantity of the sample; the date of the shipment; and, a description of the sample, including its USEPA H-9-BPA hazardous waste number;

D) The sample is shipped to a laboratory or testing facility that is exempt under subsection (f) below, or has an appropriate RCRA permit or interim status;

E) The generator or sample collector maintains the following records for a period ending three years after completion of the treatability study:

i) Copies of the shipping documents;

ii) A copy of the contract with the facility conducting the treatability study;

iii) Documentation showing: The amount of waste shipped under this exemption; the name, address, and USEPA H-9-BPA identification number of the laboratory or testing facility that received the waste; the date the shipment was made; and, whether or not unused samples and residues were returned to the generator; and

F) The generator reports the information required in subsection (e)(2)(B)(iii) above in its report under 35 Ill. Adm. Code 722.141.

3) The Agency may grant requests on a case-by-case basis for up to an additional two years for treatability studies involving bioremediation. The Agency may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in subsection (e)(2)(A) and (e)(2)(B) above and (f)(4) below, for up to an additional 5000 kg of media contaminated with non-acute hazardous waste, 500 kg of non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, and 1 kg of acute hazardous waste:

A) In response to requests for authorization to ship, store, and conduct further treatability studies in advance of commencing treatability studies. Factors to be considered in reviewing such requests include the nature of the technology, the type of process (e.g., batch versus continuous), the size of the unit undergoing testing (particularly in relation to scale-up considerations), the time or quantity of material required to reach steady-state operating conditions, or test design considerations, such as mass balance calculations.

B) In response to requests for authorization to ship, store, and conduct treatability studies on additional quantities

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after initiation or completion of initial treatability studies when: There has been an equipment or mechanical failure during the conduct of the treatability study, there is need to verify the results of a previously-conducted treatability study, there is a need to study and analyze alternative techniques within a previously-evaluated treatment process, or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment.

C) The additional quantities allowed and timeframes allowed in subsections (e)(3)(A) and (e)(3)(B) above are subject to all the provisions in subsections (e)(1) and (e)(2)(B) through (e)(2)(F) above. The generator or sample collector shall apply to the Agency and provide in writing the following information:

- i) The reason why the generator or sample collector requires additional time or quantity of sample for the treatability study evaluation and the additional time or quantity needed;
 - ii) Documentation accounting for all samples of hazardous waste from the wastestream that have been sent for or undergone treatability studies, including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;
 - iii) A description of the technical modifications or change in specifications that will be evaluated and the expected results;
 - iv) If such further study is being required due to equipment or mechanical failure, the applicant shall include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and
 - v) Such other information as the Agency determines is necessary.
- 4) Final Agency determinations pursuant to this subsection may be appealed to the Board.
- f) Samples undergoing treatability studies at laboratories or testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies (to the extent such facilities are not otherwise subject to RCRA requirements) are not subject to any requirement of this Part, or of 35 Ill. Adm. Code 702, 703, 722 through 726, and 728, or to the notification requirements of Section 3010 of the Resource Conservation

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and Recovery Act, provided that the requirements of subsections (f)(1) through (f)(11) below are met. A mobile treatment unit may qualify as a testing facility subject to subsections (f)(1) through (f)(11) below. Where a group of mobile treatment units are located at the same site, the limitations specified in subsections (f)(1) through (f)(11) below apply to the entire group of mobile treatment units collectively as if the group were one mobile treatment unit.

- 1) No less than 45 days before conducting treatability studies, the facility notifies the Agency in writing that it intends to conduct treatability studies under this subsection (f).
- 2) The laboratory or testing facility conducting the treatability study has a USEPA 8-S-9-BPA identification number.
- 3) No more than a total of 10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, or 250 kg of other "as received" hazardous waste is subject to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.
- 4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, and 1 kg of acute hazardous waste. This quantity limitation does not include treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste.
- 5) No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year (two years for treatability studies involving bioremediation) has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. Up to 500 kg of treated material from a particular waste stream from treatability studies may be archived for future evaluation up to five years from the date of initial receipt. Quantities of materials archived are counted against the total storage limit for the facility.
- 6) The treatability study does not involve the placement of hazardous waste on the land or open burning of hazardous waste.
- 7) The facility maintains records three years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific information must be included for each treatability study conducted:
 - A) The name, address, and USEPA 8-S-9-BPA identification number of the generator or sample collector of each waste sample;
 - B) The date the shipment was received;

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- C) The quantity of waste accepted;
- D) The quantity of "as received" waste in storage each day;
- E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;
- F) The date the treatability study was concluded;
- G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated facility, the name of the facility and the USEPA H-S-BPA identification number.
- 8) The facility keeps, on-site, a copy of the treatability study contract and all shipping papers associated with the transport of treatability study samples to and from the facility for a period ending three years from the completion date of each treatability study.
- 9) The facility prepares and submits a report to the Agency by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:
- The name, address, and USEPA H-S-BPA identification number of the facility conducting the treatability studies;
 - The types (by process) of treatability studies conducted;
 - The names and addresses of persons for whom studies have been conducted (including their USEPA H-S-BPA identification numbers);
 - The total quantity of waste in storage each day;
 - The quantity and types of waste subjected to treatability studies;
 - When each treatability study was conducted; and
 - The final disposition of residues and unused sample from each treatability study.
- 10) The facility determines whether any unused sample or residues generated by the treatability study are hazardous waste under Section 721.103 and, if so, are subject to 35 Ill. Adm. Code 702, 703, and 721 through 728, unless the residues and unused samples are returned to the sample originator under the subsection (e) exemption above.
- 11) The facility notifies the Agency by letter when the facility is no longer planning to conduct any treatability studies at the site.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators

- a) A generator is a conditionally exempt small quantity generator in a

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- calendar month if it generates no more than 100 kilograms of hazardous waste in that month. 35 Ill. Adm. Code 700 explains the relation of this to the 100 kg/mo exception of 35 Ill. Adm. Code 809.
- b) Except for those wastes identified in subsections (e), (f), (g) and (j) below, a conditionally exempt small quantity generator's hazardous wastes are not subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of Section 3010 of Resource Conservation and Recovery Act, provided the generator complies with the requirements of subsections (f), (g) and (j) below.
- c) When making ~~Hazardous waste that is not subject to regulation or that is subject only to 35 Ill. Adm. Code 722-111-722-112-722-140(f) and 722-141-is not included in the quantity determinations of this Part and 35 Ill. Adm. Code 722, the generator must include all hazardous waste that it generates, except the following hazardous waste: through 726-and-728-and-is not subject to any requirements of those Parts. Hazardous waste that is subject to the requirements of Section 721-106(b) and (c) and 35 Ill. Adm. Code 726-Subparts E, B and F is included in the quantity determinations of this Part and is subject to the requirements of this Part and 35 Ill. Adm. Code 722-through-726 and-728.~~
- Hazardous waste that is except from regulation under Section 721.104(c) through (f), 721.106(a)(3), 721.107(a)(1), or 721.108; 721.109 and 35 Ill. Adm. Code 733.
 - Hazardous waste that is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities, as defined in 35 Ill. Adm. Code 720.110;
 - Hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under Section 721.106(c)(2);
 - Hazardous waste that is used oil managed under the requirements of Section 721.106(a)(4) and 35 Ill. Adm. Code 739;
 - Hazardous waste that is spent lead-acid batteries managed under the requirements of 35 Ill. Adm. Code 726.Subpart G; and
 - Hazardous waste that is universal waste managed under Section 721.109 and 35 Ill. Adm. Code 733.
- d) In determining the quantity of hazardous waste it generates, a generator need not include:
- Hazardous waste when it is removed from on-site storage; or
 - Hazardous waste produced by on-site treatment (including reclamation) of its hazardous waste so long as the hazardous waste that is treated was counted once; or
 - Spent materials that are generated, reclaimed and subsequently reused on-site, so long as such spent materials have been counted once.
- e) If a generator generates acute hazardous waste in a calendar month in quantities greater than set forth below, all quantities of that acute hazardous waste are subject to full regulation under 35 Ill. Adm. Code

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may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this Section, unless the mixture meets any of the characteristics of hazardous wastes identified in Subpart C.

- i) If a small quantity generator mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this Section, the mixture is subject to full regulation.
- j) If a conditionally exempt small quantity generator's hazardous wastes are mixed with used oil, the mixture is subject to 35 Ill. Adm. Code 739, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated if it is destined to be burned for energy recovery.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.106 Requirements for Recyclable Materials

a) Recyclable materials:

- 1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsections (b) and (c) below, except for the materials listed in subsections (a)(2) and (a)(3) below. Hazardous wastes that are recycled will be known as "recyclable materials".
- 2) The following recyclable materials are not subject to the requirements of this Section but are regulated under 35 Ill. Adm. Code 726.Subparts C through H and all applicable provisions in 35 Ill. Adm. Code 702, 703, and 705.
 - A) Recyclable materials used in a manner constituting disposal (35 Ill. Adm. Code 726.Subpart C);
 - B) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O (35 Ill. Adm. Code 726.Subpart H);
 - C) Recyclable materials from which precious metals are reclaimed (35 Ill. Adm. Code 726.Subpart F);
 - D) Spent lead-acid batteries that are being reclaimed (35 Ill. Adm. Code 726.Subpart G).
- 3) The following recyclable materials are not subject to regulation under 35 Ill. Adm. Code 722 through 726, 728, or 702, 703, or 705 and are not subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:
 - A) Industrial ethyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in 35 Ill. Adm. Code 722.158:
 - i) A person initiating a shipment for reclamation in a

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foreign country and any intermediary arranging for the shipment shall comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(6), (a)(6), and (b); and 722.157; shall export such materials only upon consent of the receiving country and in conformance with the USEPA H-S--EPA Acknowledgment of Consent, as defined in 35 Ill. Adm. Code 722.Subpart E; and shall provide a copy of the USEPA H-S--EPA Acknowledgment of Consent to the shipment to the transporter transporting the shipment for export;

- ii) Transporters transporting a shipment for export shall not accept a shipment if the transporter knows that the shipment does not conform to the USEPA H-S--EPA Acknowledgment of Consent, shall ensure that a copy of the USEPA H-S--EPA Acknowledgment of Consent accompanies the shipment, and shall ensure that it is delivered to the facility designated by the person initiating the shipment;

B) ~~Used batteries--for-used-battery-cells--returned-to-a-battery manufacturer--for-regeneration;~~

B) Scrap metal;

C) ~~Fuels produced from the refining of oil-bearing hazardous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices (this exemption does not apply to fuels produced from oil recovered from oil-bearing hazardous waste where such recovered oil is already excluded under Section 721.104(a)(12));~~

D) ~~Petroleum refining wastes.~~

- 1) Hazardous waste fuel produced from oil-bearing hazardous wastes from petroleum refining, production, or transportation practices or produced from oil reclaimed from such hazardous wastes, where such hazardous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil, so long as the resulting fuel meets the used oil specification under 35 Ill. Adm. Code 726.140(e) and so long as no other hazardous wastes are used to produce the hazardous waste fuel;
- ii) Hazardous waste fuel produced from oil-bearing hazardous waste from petroleum refining production, and transportation practices, where such hazardous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

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iii) Oil reclaimed from oil-bearing hazardous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and

ELP Petroleum coke produced from petroleum refinery hazardous wastes containing oil by the same person that generated the wastes unless the resulting coke product exceeds one or more of the characteristics of hazardous waste in 721.Subpart C.

4) Used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic is not subject to the requirements of 35 Ill. Adm. Code 720 through 728, but it is regulated under 35 Ill. Adm. Code 739. Used oil that is recycled includes any used oil that is reused for any purpose following its original use (including the purpose for which the oil was originally used). Such term includes, but is not limited to, oil that is re-refined, reclaimed, burned for energy recovery, or reprocessed.

b) Generators and transporters of recyclable materials are subject to the applicable requirements of 35 Ill. Adm. Code 722 and 723 and the notification requirements under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) above.

c) Storage and recycling:

1) Owners or operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of 35 Ill. Adm. Code 702, 703, and 705; 724.Subparts A through L, AA, and BB; and 725.Subparts A through L, AA, and BB; 726; 728; and the notification requirement under Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) above. (The recycling process itself is exempt from regulation, except as provided in subsection (d) below.)

2) Owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to the following requirements, except as provided in subsection (a) above:

- A) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act,
- B) 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies), and
- C) Subsection (d) below.

d) Owners or operators of facilities required to have a RCRA permit pursuant to 35 Ill. Adm. Code 703 with hazardous waste management units that recycle hazardous wastes are subject to 35 Ill. Adm. Code 724.Subparts AA and BB and 725.Subparts AA and BB.

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(Source: Amended at 20 Ill. Reg. _____, effective _____)

721.109 Requirements for Universal Waste

The wastes listed in this Section are exempt from regulation under 35 Ill. Adm. Code 702 through 705, 722 through 726, and 728, except as specified in 35 Ill. Adm. Code 733, and are therefore not fully regulated as hazardous waste. The wastes listed in this Section are subject to regulation under 35 Ill. Adm. Code 733:

- a) Batteries, as described in 35 Ill. Adm. Code 733.102;
- b) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- c) Thermostats, as described in 35 Ill. Adm. Code 733.104.

(Source: Added at 20 Ill. Reg. _____, effective _____)

SUBPART D: LISTS OF HAZARDOUS WASTE

Section 721.130 General

a) A solid waste is a hazardous waste if it is listed in this Subpart, unless it has been excluded from this list under 35 Ill. Adm. Code 720.120 and 720.122.

b) The basis for listing the classes or types of wastes listed in this Subpart is indicated by employing one or more of the Hazard Codes:

1) Hazard Codes:

- A) Ignitable Waste (I)
- B) Corrosive Waste (C)
- C) Reactive Waste (R)
- D) Toxicity Characteristic Waste (E)
- E) Acute Hazardous Waste (H)
- F) Toxic Waste (T)

2) Appendix G identifies the constituent which caused the Administrator to list the waste as a Toxicity Characteristic Waste (E) or Toxic Waste (T) in Sections 721.131 and 721.132.

c) Each hazardous waste listed in this Subpart is assigned an EPA Hazardous Waste Number which precedes the name of the waste. This number must be used in complying with the notification requirements of Section 3010 of the Act and certain recordkeeping and reporting requirements under 35 Ill. Adm. Code 702, 703, 722 through 725 and 728 and 40 CFR 122.

d) The following hazardous wastes listed in Sections 721.131 or 721.132 are subject to the exclusion limits for acute hazardous wastes established in Section 721.105: hazardous wastes numbers F020, F021, F022, F023, F026 and F027.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 721.132 Hazardous Waste From Specific Sources

The following solid wastes are listed hazardous wastes from specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
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Wood Preservation:

K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote of and/or pentachlorophenol.	(T)
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Inorganic Pigments:

K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.	(T)
K003	Wastewater treatment sludge from the production of molybdate orange pigments.	(T)
K004	Wastewater treatment sludge from the production of zinc yellow pigments.	(T)
K005	Wastewater treatment sludge from the production of chrome green pigments.	(T)
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	(T)
K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)
K008	Oven residue from the production of chrome oxide green pigments.	(T)

Organic Chemicals:

K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R,T)
K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.	(T)
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
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K015	Still bottoms from the distillation of benzyl chloride.	(T)
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.	(T)
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	(T)
K018	Heavy ends from the fractionation column in ethyl chloride production.	(T)
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	(T)
K020	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.	(T)
K021	Aqueous spent antimony catalyst waste from fluoromethanes production.	(T)
K022	Distillation bottom tars from the production of phenol/acetone from cumene.	(T)
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.	(T)
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.	(T)
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.	(T)
K094	Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	(T)
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	(T)
K026	Stripping still tails from the production of methyl ethyl pyridines.	(T)
K027	Centrifuge and distillation residues from toluene diisocyanate production.	(R,T)
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	(T)
K029	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.	(T)
K095	Distillation bottoms from the production of 1,1,1-trichloroethane.	(T)
K096	Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	(T)
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	(T)
K083	Distillation bottoms from aniline production.	(T)
K103	Process residues from aniline extraction from the production of aniline.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K104	Combined wastewater streams generated from nitrobenzene/aniline production.	(T)
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.	(T)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	(T)
K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C,T)
K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I,T)
K109	Spent filter cartridges from the product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K110	Condensed column overheads from intermediate separation from the production of carboxylic acid hydrazides.	(T)
K111	Product wastewaters from the production of dinitrotoluene via nitration of toluene.	(C,T)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)
K118	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes.	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes.	(T)
K158	Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes.	(T)
K159	Organics from the treatment of thiocarbamate wastes.	(T)
K160	Solids (including filter wastes, separation solids, and spent catalysts) from the production of thiocarbamates and solids from the treatment of thiocarbamate wastes.	(T)
K161	Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126.)	(R,T)
Inorganic Chemicals:		
K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.	(T)
K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.	(T)
K106	Wastewater treatment sludge from the mercury cell process in chlorine production.	(T)
Pesticides:		
K031	By-product salts generated in the production of MSMA and cacodylic acid.	(T)
K032	Wastewater treatment sludge from the production of chlordane.	(T)
K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	(T)
K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	(T)
K035	Wastewater treatment sludges generated in the production of creosote.	(T)
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	(T)
K037	Wastewater treatment sludges from the production of disulfoton.	(T)
K038	Wastewater from the washing and stripping of phorate production.	(T)
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	(T)
K040	Wastewater treatment sludge from the production of phorate.	(T)
K041	Wastewater treatment sludge from the production of toxaphene.	(T)
K098	Untreated process wastewater from the production of toxaphene.	(T)
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	(T)
K043	2,6-Dichlorophenol waste from the production of 2,4-D.	(T)
K099	Untreated wastewater from the production of 2,4-D.	(T)
K123	Process wastewater (including supernates, filtrates and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.	(C,T)
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K125	Filtration, evaporation and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.	(T)
K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.	(C,T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K132	Spent absorbent and wastewater separator solids from the production of methyl bromide.	(T)
	Explosives:	
K044	Wastewater treatment sludges from the manufacturing and processing of explosives.	(R)
K045	Spent carbon from the treatment of wastewater containing explosives.	(R)
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	(T)
K047	Pink/red water from TNT operations.	(R)
	Petroleum Refining:	
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.	(T)
K049	Slop oil emulsion solids from the petroleum refining industry.	(T)
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.	(T)
K051	API separator sludge from the petroleum refining industry.	(T)
K052	Tank bottoms (lead) from the petroleum refining industry.	(T)
	Iron and Steel:	
K061	Emission control dust/sludge from the primary production of steel in electric furnaces.	(T)
K062	Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332) (as defined in 35 Ill. Adm. Code 720.110).	(C,T)
	Primary Copper:	
K064	Acid plant blowdown slurry or sludge resulting from the thickening of blowdown slurry from primary copper production.	(T)
	Primary Lead:	

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K143	Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.	(T)
K144	Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.	(T)
K145	Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.	(T)
K147	Tar storage tank residues from coal tar refining.	(T)
K148	Residues from coal tar distillation, including but not limited to, still bottoms.	(T)
K149	Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. ⁷ (This waste does not include still bottoms from the distillation of benzyl chloride.) ⁷	(T)
K150	Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)
K151	Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Containers Residues, and Spill Residues Thereof

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded as described in Section 721.102(a)(2)(A), when they are mixed with waste oil or used oil or other material and applied to the land for dust suppression or road treatment, when they are otherwise applied to the land in lieu of their original intended use or when they are

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contained in products that are applied to land in lieu of their original intended use, or when, in lieu of their original intended use, they are produced for use as (or as a component of) a fuel, distributed for use as a fuel, or burned as a fuel.

- Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in subsection ~~subsections~~ (e) or (f) below.
- Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection subsections (e) or (f) below.
- Any residue remaining in a container or inner liner removed from a container that has held any commercial chemical product or manufacturing commercial intermediate having the generic name listed in subsection (e) or (f) below, unless the container is empty as defined in Section 721.107(b)(3).

BOARD NOTE: Unless the residue is being beneficially used or reused, or legitimately recycled or reclaimed, or being accumulated, stored, transported, or treated prior to such use, reuse, recycling, or reclamation, the Board considers the residue to be intended for discard, and thus a hazardous waste. An example of a legitimate reuse of the residue would be where the residue remains in the container and the container is used to hold the same commercial chemical product or manufacturing chemical intermediate it previously held. An example of the discard of the residue would be where the drum is sent to a drum reconditioner that reconditions the drum but discards the residue.

- Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) below, or any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water, of any off-specification chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) or (f) below.

BOARD NOTE: The phrase "commercial chemical product or manufacturing chemical intermediate having the generic name listed in..." refers to a chemical substance that is manufactured or formulated for commercial or manufacturing use which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient. It does not refer to a material, such as a manufacturing process waste, that contains any of the substances listed in subsection subsections (e) or (f) below. Where a manufacturing process waste is deemed to be a hazardous waste because it contains a substance listed in subsection subsections (e) or (f) below, such waste will be listed in either Sections 721.131 or 721.132 or will be identified as a hazardous waste by the characteristics set forth in Subpart C.

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e) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products or manufacturing chemical intermediates referred to in subsections (a) through (d) above, are identified as acute hazardous waste (H) and are subject to the small quantity exclusion defined in Section 721.105(e). These wastes and their corresponding EPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), and R (Reactivity). The absence of a letter indicates that the compound only is listed for acute toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-
P002	591-08-2	Acetamide, N-(aminothioxomethyl)-
P057	640-19-7	Acetamide, 2-fluoro-
P058	62-74-8	Acetic acid, fluoro-, sodium salt
P002	591-08-2	1-Acetyl-2-thiourea
P003	107-02-8	Acrolein
P070	116-06-3	Aldicarb
P023	1646-88-4	Aldicarb sulfone
P004	309-00-2	Aldrin
P005	107-18-6	Allyl alcohol
P006	20859-73-8	Aluminum phosphide (R,T)
P007	2763-96-4	5-(Aminomethyl)-3-isoxazolol
P008	504-24-5	4-Aminopyridine
P009	131-74-8	Ammonium picrate (R)
P119	7803-55-6	Ammonium vanadate
P099	506-61-6	Argentate(1-), bis(cyano-C)-, potassium
P010	7778-39-4	Arsenic acid H[3]A[s]0[4]
P012	1327-53-3	Arsenic oxide As[2]0[3]
P011	1303-28-2	Arsenic oxide As[2]0[5]
P011	1303-28-2	Arsenic pentoxide
P012	1327-53-3	Arsenic trioxide
P038	692-42-2	Arsine, diethyl-
P036	696-28-6	Arsonous dichloride, phenyl-
P054	151-56-4	Aziridine
P067	75-55-8	Aziridine, 2-methyl
P013	542-62-1	Barium cyanide
P024	106-47-8	Benzenamine, 4-chloro-
P077	100-01-6	Benzenamine, 4-nitro-
P028	100-44-7	Benzene, (chloromethyl)-
P042	51-43-4	1,2-Benzenediol, 4-([1-hydroxy-2-(methylamino)ethyl]-, (R)-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P046	122-09-8	Benzeneethanamine, alpha, alpha-dimethyl-
P014	108-98-5	Benzenethiol
P127	1563-66-2	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate
P188	57-64-7	Benzoic acid, 2-hydroxy-, compound with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo[2,3-b]indol-5-yl methylcarbamate ester (1:1)
P001	P81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations greater than 0.3%
P028	100-44-7	Benzyl chloride
P015	7440-41-7	Beryllium powder
P017	598-31-2	Bromoacetone
P018	357-57-3	Brucine
P045	39196-18-4	2-Butanone, 3,3-dimethyl-1-(methylthio)-, 0-[methylamino]carbonyl oxime
P021	592-01-8	Calcium cyanide
P021	592-01-8	Calcium cyanide Ca(CN)[2]
P189	55285-14-8	Carbamic acid, [(dibutylamino)-thio]-methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester
P191	644-64-4	Carbamic acid, dimethyl-, 1-[(dimethylamino)carbonyl]-5-methyl-1H-pyrazol-3-yl ester
P192	119-38-0	Carbamic acid, dimethyl-, dimethyl-, 3-methyl-1-(1-methyl-1H-pyrazol-5-yl) ester
P190	1129-41-5	Carbamic acid, methyl-, 3-methylphenyl ester
P127	1563-66-2	Carbofuran
P022	75-15-0	Carbon disulfide
P095	75-44-5	Carbonic dichloride
P189	55285-14-8	Carbosulfan
P023	107-20-0	Chloroacetaldehyde
P024	106-47-8	p-Chloroaniline
P026	5344-82-1	1-(O-Chlorophenyl)thiourea
P027	542-76-7	3-Chloropropionitrile
P029	544-92-3	Copper cyanides
P029	544-92-3	Copper cyanide CuCN
P202	64-00-6	m-Cumenyl methylcarbamate

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P030		Cyanides (soluble cyanide salts), not otherwise specified
P031	460-19-5	Cyanogen
P033	506-77-4	Cyanogen chloride
P033	506-77-4	Cyanogen chloride CNCl
P034	131-89-5	2-Cyclohexyl-4,6-dinitrophenol
P016	542-88-1	Dichloromethyl ether
P036	696-28-6	Dichlorophenylarsine
P037	60-57-1	Dieldrin
P038	692-42-2	Diethylarsine
P041	311-45-5	Diethyl-p-nitrophenyl phosphate
P040	297-97-2	O,O-Diethyl O-pyrazinyl phosphorothioate
P043	55-91-4	Diisopropylfluorophosphate (DFP)
P191	644-64-4	Dimetilan
P004	309-00-2	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha, 2alpha, 4beta, 8alpha, 8beta)-
P060	465-73-6	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha, 2alpha, 4beta, 5beta, 8beta, 8beta)-
P037	60-57-1	2,7,3,6-Dimethanonaphth(2,3-b)oxitane, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1alpha, 2beta, 2alpha, 3alpha, 3beta, 6beta, 6alpha, 7beta, 7alpha)-
P051	P72-20-8	2,7,3,6-Dimethanonaphth(2,3-b)oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1alpha, 2beta, 2alpha, 3alpha, 3beta, 6beta, 6alpha, 7beta, 7alpha)-
P044	60-51-5	and metabolites
P046	122-09-8	Dimethoate
P047	534-52-1	alpha, alpha-Dimethylphenethylamine
P048	51-28-5	4,6-Dinitro-o-cresol and salts
P020	88-85-7	2,4-Dinitrophenol
P085	152-16-9	Dinoseb
P111	107-49-3	Diphosphoramide, octamethyl- Diphosphoric acid, tetraethyl ester

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P039	298-04-4	Disulfoton
P049	541-53-7	Dithiobiuret
P185	26419-73-8	1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O-[(methylamino)-carbonyl]-oxime
P050	115-29-7	Endosulfan
P088	145-73-3	Endothall
P051	72-20-8	Endrin
P051	72-20-8	Endrin, and metabolites
P042	51-43-4	Epinephrine
P031	460-19-5	Ethanedinitrile
P194	23135-22-0	Ethanimidethioc. acid, 2-[(dimethylamino)-N-[[[(methylamino)carbonyl]oxy]-2-oxo-, methyl ester Ethanimidothioic acid, N-[[[(methylamino)carbonyl]oxy]-, methyl ester
P066	16752-77-5	Ethyl cyanide
P101	107-12-0	Ethylamine
P054	151-56-4	Ramphur
P097	52-85-7	Fluorine
P056	7782-41-4	Fluoroacetamide
P057	640-19-7	Fluoroacetic acid, sodium salt
P058	62-74-8	Formetanate hydrochloride
P198	23422-53-9	Formparanate
P197	17702-57-7	Fulminic acid, mercury (2+) salt (R,T)
P065	628-86-4	Heptachlor
P059	76-44-8	Hexaethyl terraphosphate
P062	757-58-4	Hydrazinecarbothioamide
P116	79-19-6	Hydrazine, methyl-
P068	60-34-4	Hydrocyanic acid
P063	74-90-8	Hydrogen cyanide
P063	74-90-8	Hydrogen phosphide
P096	7803-51-2	Isodrin
P060	465-73-6	Isolan
P192	119-38-0	3-Isopropylphenyl-N-methylcarbamate
P202	64-00-6	3(2H)-Isoxazolone, 5-(aminomethyl)-
P007	2763-96-4	Manganese, bis(dimethylcarbamodithioato-S,S')-
P196	15339-36-3	Manganese dimethyldithiocarbamate
P196	15339-36-3	Mercury, (acetato-0)phenyl-
P196	628-86-4	Mercury fulminate (R,T)

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P082	62-75-9	Methanamine, N-methyl-N-nitroso-
P064	624-83-9	Methane, isocyanato-
P016	542-88-1	Methane, oxybis(chloro-
P112	509-14-8	Methane, tetranitro- (R)
P118	75-70-7	Methanethiol, trichloro-
P198	23422-53-9	Methanimidamide, N,N-dimethyl-N'-[(3-[(methylamino)-carbonyloxy]phenyl)-, monohydrochloride
P197	17702-57-7	Methanimidamide, N,N-dimethyl-N'-(2-methyl-4-[(methylamino)carbonyloxy]-phenyl)-
P199	2032-65-7	Methiocarb
P050	115-29-7	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-
P059	76-44-8	hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide
P066	16752-77-5	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-
P068	60-34-4	3a,4,7,7a-tetrahydro-
P064	624-83-9	Methomyl
P069	75-86-5	Methyl hydrazine
P071	298-00-0	Methyl isocyanate
P129	1129-41-5	2-Methylactonitrile
P072	315-8-4	Methyl parathion
P073	86-88-4	Metolcarb
P074	13463-39-3	Mexacarb
P075	557-19-7	alpha-Naphthylthiourea
P076	54-11-5	Nickel carbonyl
P077	10102-43-9	Nickel carbonyl NiCO(4), (T-4)-
P078	10102-44-0	Nickel cyanide
P079	10102-43-9	Nickel cyanide Ni(CN)[2]
P080	55-63-0	Nicotine, and salts
P081	100-01-6	Nitric oxide
P082	10102-44-0	p-Nitroaniline
P083	10102-43-9	Nitrogen dioxide
P084	10102-44-0	Nitrogen oxide NO
P085	10102-44-0	Nitrogen oxide NO[2]
P086	55-63-0	Nitroglycerine (R)
P087	4549-40-0	N-Nitrosodimethylamine
P088	152-16-9	N-Nitrosomethylvinylamine
P089	20816-12-0	Octamethylpyrophosphoramide
P090	20816-12-0	Osmium oxide O[s](4), (T-4)-
P091	20816-12-0	Osmium tetroxide

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P088	145-73-3	7-Oxabicyclo[2.2.1]heptane-2,3-dicboxylic acid
P194	23135-22-0	Oxamyl
P089	56-38-2	Parathion
P034	131-89-5	Phenol, 2-cyclohexyl-4,6-dinitro-
P128	315-18-4	Phenol, 4-(dimethylamino)-3,5-dimethyl-
P199	2032-65-7	methylcarbamate (ester)
P048	51-28-5	Phenol, (3,5-dimethyl-4-(methylthio))-methylcarbamate
P047	P534-52-1	Phenol, 2,4-dinitro-
P202	64-00-6	Phenol, 2-methyl-4,6-dinitro-, and salts
P201	2631-37-0	Phenol, 3-(1-methylethyl)-, methylcarbamate
P020	88-85-7	Phenol, 3-methyl-5-(1-methylethyl)-
P009	131-74-8	Phenol, 2-(1-methylpropyl)-4,6-dinitro-
P092	62-38-4	Phenol, 2,4,6-trinitro-, ammonium salt (R)
P093	103-85-5	Phenylmercury acetate
P094	298-02-2	Phenylthiourea
P095	75-44-5	Phosphate
P096	7803-51-2	Phosgene
P041	311-45-5	Phosphine
P039	298-04-4	Phosphoric acid, diethyl 4-nitrophenyl ester
P094	298-02-2	Phosphorodithioic acid, 0,0-diethyl S-[2-(ethylthio)ethyl] ester
P044	60-51-5	Phosphorodithioic acid, 0,0-diethyl S-[2-(ethylthio)methyl] ester
P043	55-91-4	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl]ester
P089	56-38-2	Phosphorofluoridic acid, bis(1-methylethyl)ester
P040	297-97-2	Phosphorothioic acid, O,O-diethyl O(4-nitrophenyl) ester
P097	52-85-7	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester
		Phosphorothioic acid, 0-[4-[(dimethylamino)sulfonyl]phenyl] 0,0-dimethyl ester

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P071	298-00-0	Phosphorothioic acid, 0,0-dimethyl 0-(4-nitrophenyl) ester
P204	57-47-6	Physostigmine
P188	57-61-7	Physostigmine salicylate
P110	78-00-2	Plumbane, tetraethyl-
P098	151-50-8	Potassium cyanide
P098	151-50-8	Potassium cyanide KCN
P099	506-61-6	Potassium silver cyanide
P201	2631-37-0	Promecarb
P203	1646-88-1	Propanal
		2-methyl-2-(methyl-sulfonyl)-, O-[(methylamino)carbonyl] oxime
P070	116-06-3	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl] oxime
		carbonylloxime
P101	107-12-0	Propanenitrile
P027	542-76-7	Propanenitrile, 3-chloro-
P069	75-86-5	Propanenitrile, 2-hydroxy-2-methyl-
P081	55-63-0	1,2,3-Propanetriol, trinitrate- (R)
P017	598-31-2	2-Propanone, 1-bromo-
P132	107-19-7	Propargyl alcohol
P033	107-02-8	2-Propenal
P005	107-18-6	2-Propen-1-ol
P067	75-55-8	1,2-Propylenimine
P102	107-19-7	2-Propyn-1-ol
P008	504-24-5	4-Pyridinamine
P075	P54-11-5	Pyridine, 3-(1-methyl-2-methyl-2-pyrrolidinyl)-, (S)-and salts
P204	57-47-6	Pyrrholo[2,3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methyl-carbamate (ester), (3aS-cis)-
P114	12039-52-0	Selenious acid, dithallium (1+) salt
P103	630-10-4	Selenourea
P104	506-64-9	Silver cyanide
P104	506-64-9	Silver cyanide AgCN
P105	26628-22-8	Sodium azide
P106	143-33-9	Sodium cyanide
P106	143-33-9	Sodium cyanide NaCN
P108	P57-24-9	Strychnidin-10-one, and salts
P018	357-57-3	Strychnidin-10-one, 2,3-dimethoxy-
P108	P57-24-9	Strychnine and salts
P115	7446-18-6	Sulfuric acid, dithallium (1+) salt

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P109	3689-24-5	Tetraethyldithiopyrophosphate
P110	78-00-2	Tetraethyl lead
P111	107-49-3	Tetraethylpyrophosphate
P112	509-14-8	Tetranitromethane (R)
P062	757-58-4	Tetraphosphoric acid, hexaethyl ester
P113	1314-32-5	Thallic oxide
P113	1314-32-5	Thallium oxide Tl ₂ O[3]
P114	12039-52-0	Thallium (I) selenite
P115	7446-18-6	Thallium (I) sulfate
P109	3689-24-5	Thiodiphosphoric acid, tetraethyl ester
P045	39196-18-4	Thiofanox
P049	541-53-7	Thioimidocarbonic diamide [(H ₂ N)C(S)] ₂ [2]NH
P114	108-98-5	Thiophenol
P116	79-19-6	Thiosemicarbazide
P026	5344-82-1	Thiourea, (2-chlorophenyl)-
P072	86-88-4	Thiourea, 1-naphthalenyl-
P093	103-85-5	Thiourea, phenyl-
P123	8001-35-2	Toxaphene
P185	26419-73-8	Tirpate
P118	75-70-7	Trichloromethanethiol
P119	7803-55-6	Vanadic acid, ammonium salt
P120	1314-62-1	Vanadium oxide V[2] O [5]
P120	1314-62-1	Vanadium pentoxide
P084	4549-40-0	Vinylamine, N-methyl-N-nitroso-
P001	P81-81-2	Warfarin, and salts, when present at concentrations greater than 0.3%
P121	557-21-1	Zinc cyanide
P121	557-21-1	Zinc cyanide Zn(CN)[2]
P205	137-30-4	Zinc, bis(dimethylcarbamodithioato-S,S')-
P122	1314-84-7	Zinc phosphide Zn[3]P[2], when present at concentrations greater than 10% (R,T)
P205	137-30-4	Ziram

f) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products referred to in subsections (a) through (d) above, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in Section 721.105(a) and (g). These wastes and their corresponding EPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community, the primary hazardous properties of these materials have been indicated by

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the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The absence of a letter indicates that the compound is only listed for toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
U394	30558-43-1	A2213
U365	2212-67-1	H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester
U001	75-07-0	Acetaldehyde (I)
U034	75-87-6	Acetaldehyde, trichloro-
U187	62-44-2	Acetamide, N-(4-ethoxyphenyl)-
U005	53-96-3	Acetamide, N-9H-fluorene-2-yl-
U240	P94-75-7	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters
U112	141-78-6	Acetic acid, ethyl ester (I)
U144	301-04-2	Acetic acid, lead (2+) salt
U214	563-68-8	Acetic acid, thallium(1+) salt
See		
F027	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-
U002	67-64-1	Acetone (I)
U003	75-05-8	Acetonitrile (I,T)
U004	98-86-2	Acetophenone
U005	53-96-3	2-Acethylaminofluorene
U006	75-36-5	Acetyl chloride (C,R,T)
U007	79-06-1	Acrylamide
U008	79-10-7	Acrylic acid (I)
U009	107-13-1	Acrylonitrile
U011	61-82-5	Amitrole
U012	62-53-3	Aniline (I,T)
U136	75-60-5	Arsinic acid, dimethyl-
U014	492-80-8	Auramine
U015	115-02-6	Azaserine
U010	50-07-7	Azirino[2',3':3,4]pyrrolo[1,2-a] indole-4,7-dione, 6-amino-8-[(aminocarbonyl)oxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1alpha,8beta,8alpha,8bapha)]-
U280	101-27-9	Barban
U278	22781-23-3	Bendiocarb
U364	22961-82-6	Bendiocarb phenol
U271	17804-35-2	Benomyl
U157	56-49-5	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U016	225-51-4	Benz(c)acridine
U017	98-87-3	Benzal chloride
U192	23950-58-5	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-
U018	56-55-3	Benz[a]anthracene
U094	57-97-6	Benz[a]anthracene, 7,12-dimethyl-
U012	62-53-3	Benzenamine (I,T)
U014	492-80-8	Benzenamine, 4,4'-carbonimidoylbis (N,N-dimethyl-
U049	3165-93-3	Benzenamine, 4-chloro-2-methyl-, hydrochloride
U093	60-11-7	Benzenamine, N,N-dimethyl-4-(phenylazo)-
U328	95-53-4	Benzenamine, 2-methyl-
U353	106-49-0	Benzenamine, 4-methyl-
U158	101-14-4	Benzenamine, methylenebis(2-chloro-
U222	636-21-5	Benzenamine, 2-methyl-, hydrochloride
U181	99-55-8	Benzenamine, 2-methyl-5-nitro
U019	71-43-2	Benzene (I,T)
U038	510-15-6	Benzenoacetic acid, 4-chloro-alpha-(4-chlorophenyl)- alpha-hydroxy-, ethyl ester
U030	101-55-3	Benzene, 1-bromo-4-phenoxy-
U035	305-03-3	Benzenobutanoic acid, 4-[bis(2-chloroethyl)amino]-
U037	108-90-7	Benzene, chloro-
U221	25376-45-8	Benzenediamine, ar-methyl-
U028	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester
U069	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester
U088	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester
U102	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester
U107	117-84-0	1,2-Benzenedicarboxylic acid, dioctyl ester
U070	95-50-1	Benzene, 1,2-dichloro-
U071	541-73-1	Benzene, 1,3-dichloro-
U072	106-46-7	Benzene, 1,4-dichloro-
U060	72-54-8	Benzene, 1,1'-(2,2-dichloroethylidene) bis(4-chloro-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U017	98-87-3	Benzene, (dichloromethyl)-
U223	26471-62-5	Benzene, 1,3-diisocyanatomethyl- (R,T)
U239	1330-20-7	Benzene, dimethyl- (I,T)
U201	108-46-3	1,3-Benzenediol
U127	118-74-1	Benzene, hexachloro-
U056	110-82-7	Benzene, hexahydro-(I)
U220	108-88-3	Benzene, methyl-
U105	121-14-2	Benzene, 1-methyl-2,4-dinitro-
U106	605-20-2	Benzene, 2-methyl-1,3-dinitro-
U055	98-82-8	Benzene, (1-methylethyl)- (I)
U169	98-95-3	Benzene, nitro-
U183	608-93-5	Benzene, pentachloro-
U185	82-68-8	Benzene, pentachloronitro-
U020	98-09-9	Benzenesulfonic acid chloride (C,R)
U020	98-09-9	Benzenesulfonyl chloride (C,R)
U207	95-94-3	Benzene, 1,2,4,5-tetrachloro-
U061	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis(4-chloro-
U247	72-43-5	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis(4-methoxy-
U023	98-07-7	Benzene, (trichloromethyl)-
U234	93-35-4	Benzene, 1,3,5-trinitro-
U021	92-87-5	Benzidine
U202	P81-07-2	1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, and salts
U203	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-
U141	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-
U090	94-58-6	1,3-Benzodioxole, 5-propyl-
U278	22781-23-3	1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate
U364	22961-82-6	1,3-Benzodioxol-4-ol, 2,2-dimethyl-
U367	1563-38-8	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-
U064	189-55-9	Benzo[<i>rst</i>]pentaphene
U248	P81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations of 0.3% or less

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U022	50-32-8	Benzo[a]pyrene
U197	106-51-4	p-Benzoquinone
U023	98-07-7	Benzotrichloride (C,R,T)
U085	1464-53-5	2,2'-Bioxirane
U021	92-87-5	[1,1'-Biphenyl]-4,4'-diamine
U073	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-
U091	119-90-4	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-
U095	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-
U401	97-74-5	Bis(dimethylthiocarbonyl) sulfide
U400	120-54-7	Bis(pentamethylene)niuram tetrasulfide
U225	75-25-2	Bromoform
U030	101-55-3	4-Bromophenyl phenyl ether
U128	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	924-16-3	1-Butanamine, N-butyl-N-nitroso-
U031	71-36-3	1-Butanol (I)
U159	78-93-3	2-Butanone (I,T)
U160	1338-23-4	2-Butanone, peroxide (R,T)
U053	4170-30-3	2-Butenal
U074	764-41-0	2-Butene, 1,4-dichloro- (I,T)
U143	303-34-4	2-Butenoic acid, 2-methyl-, 7-([2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl)-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[alpha(2), 7(2S*,3R*), 7alpha]]-
U031	71-36-3	n-Butyl alcohol (I)
U392	2008-41-5	Butyrate
U136	75-60-5	Cacodylic acid
U032	13765-13-0	Calcium chromate
U372	10605-21-7	Carbamic acid, 1H-benzimidazol-2-yl, methyl ester
U271	17804-35-2	Carbamic acid, [1-[(butylamino)-carbonyl]-1H-benzimidazol-2-yl]-, methyl ester
U375	55406-53-6	Carbamic acid, 3-iodo-2-propynyl ester
U280	101-27-9	Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester
U238	51-79-6	Carbamic acid, ethyl ester

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U178	615-53-2	Carbamic acid, methylnitroso-, ethyl ester
U373	122-42-9	Carbamic acid, phenyl-, 1-methylethyl ester
U409	23564-05-8	Carbamic acid, [1,2-phenylenebis (iminocarbonothioyl)]bis-, dimethyl ester
U097	79-44-7	Carbamic chloride, dimethyl-
U379	136-30-1	Carbamodithioic acid, dibutyl, sodium salt
U277	95-06-7	Carbamodithioic acid, diethyl-, 2-chloro-2-propenyl ester
U381	148-18-5	Carbamodithioic acid, diethyl-, sodium salt
U383	128-03-0	Carbamodithioic acid, dimethyl potassium salts
U382	128-04-1	Carbamodithioic acid, dimethyl-, sodium salt
U376	144-34-3	Carbamodithioic acid, dimethyl-, tetra anhydrosulfide with orthothioselenous acid
U114	Pl11-54-6	Carbamodithioic acid, 1,2-ethanediylbis-, salts and esters
U378	51026-28-9	Carbamodithioic acid, (hydroxymethyl)-methyl-, monopotassium salt
U384	137-42-8	Carbamodithioic acid, methyl-, mono-sodium salt
U377	137-41-7	Carbamodithioic acid, methyl-, mono-potassium salt
U062	2303-16-4	Carbamothioic acid, methyl-, S-(2,3-bis(1-methylethyl)-, S-(2,3-dichloro-2-propenyl) ester
U389	2303-17-5	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3-trichloro-2-propenyl) ester
U392	2008-41-5	Carbamothioic acid, bis(2-methylpropyl)-, S-ethyl ester
U391	1114-71-2	Carbamothioic acid, butylethyl-, S-propyl ester
U386	1134-23-2	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester
U390	759-94-4	Carbamothioic acid, dipropyl-, S-ethyl ester

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U387	52888-80-9	Carbamothioic acid, dipropyl-, S-(phenylethyl) ester
U385	1928-77-7	Carbamothioic acid, dipropyl-, S-propyl ester
U279	63-25-2	Carbaryl
U372	10605-21-7	Carbendazim
U367	1563-38-8	Carbofuran phenol
U215	6533-73-9	Carbonic acid, dithallium (1+) salt
U033	353-50-4	Carbonic difluoride
U156	79-22-1	Carbonochloric acid, methyl ester (I,T)
U033	353-50-4	Carbon oxyfluoride (R,T)
U211	56-23-5	Carbon tetrachloride
U034	75-87-6	Chloral
U035	305-03-3	Chlorambucil
U036	57-74-9	Chlorodane, alpha and gamma isomers
U026	494-03-1	Chloronaphazin
U037	108-90-7	Chlorobenzene
U038	510-15-6	Chlorobenzilate
U039	59-50-7	p-Chloro-m-cresol
U042	110-75-8	2-Chloroethyl vinyl ether
U044	67-66-3	Chloroform
U046	107-30-2	Chloromethyl methyl ether
U047	91-58-7	beta-Chloronaphthalene
U048	95-57-8	o-Chlorophenol
U049	3165-93-3	4-chloro-o-toluidine, hydrochloride
U032	13765-19-0	Chromic acid H2C(r10[4], calcium salt
U050	218-01-9	Chrysene
U393	137-29-1	Copper, bis(dimethylcarbamodithioato-S,S')-
U393	137-29-1	Copper dimethyldithiocarbamate
U051		Creosote
U052	1319-77-3	Cresol (Cresylic acid)
U053	4170-30-3	Crotonaldehyde
U055	98-82-8	Cumene (I)
U246	506-68-3	Cyanogen bromide CNBr
U386	1134-23-2	Cycicote
U197	108-51-4	2,5-Cyclohexadiene-1,4-dione
U056	110-82-7	Cyclohexane (I)
U129	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (alpha,2alpha,3beta,4alpha,5alpha,6beta)-
U057	108-94-1	Cyclohexanone (I)
U130	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U058	50-18-0	Cyclophosphamide
U240	P94-75-7	2,4-D, salts and esters
U059	20830-81-3	Daunomycin
U366	533-74-4	Dazomet
U060	72-54-8	DDO
U061	50-29-3	DDT
U062	2303-16-4	Diallate
U063	53-70-3	Dibenz(a,h)anthracene
U064	189-55-9	Dibenz(a,i)pyrene
U066	96-12-8	1,2-Dibromo-3-chloropropane
U069	84-74-2	Dioutyl phthalate
U070	95-50-1	o-Dichlorobenzene
U071	541-73-1	m-Dichlorobenzene
U072	106-46-7	p-Dichlorobenzene
U073	91-94-1	3,3'-Dichlorobenzidine
U074	764-41-0	1,4-Dichloro-2-butene (I,T)
U075	75-71-8	Dichlorodifluoromethane
U078	75-35-4	1,1-Dichloroethylene
U079	156-60-5	1,2-Dichloroethylene
U025	111-44-1	Dichloroethyl ether
U027	108-60-1	Dichloroisopropyl ether
U024	111-91-1	Dichloromethoxy ethane
U081	120-83-2	2,4-Dichlorophenol
U082	87-65-0	2,6-Dichlorophenol
U084	542-75-6	1,3-Dichloropropene
U085	1464-53-5	1,2:3,4-Diepoxybutane (I,T)
U395	5952-26-1	Diethylene glycol, dicarbamate
U108	123-91-1	1,4-Diethyleneoxide
U028	117-81-7	Diethylhexyl phthalate
U086	1615-80-1	N,N-Diethylhydrazine
U087	3288-58-2	U,O-Diethyl S-methyl dithiophosphate
U088	84-66-2	Diethyl phthalate
U089	56-53-1	Diethylstilbestrol
U090	94-58-6	Dihydrosafrole
U091	119-90-4	3,3'-Dimethoxybenzidine
U092	124-40-3	Dimethylamine (I)
U093	60-11-7	p-Dimethylaminoazobenzene
U094	57-97-6	7,12-Dimethylbenz[alanthracene
U095	119-93-7	3,3'-Dimethylbenzidine
U096	80-15-9	alpha,
U097	79-44-7	alpha-Dimethylbenzylhydroperoxide (R)
U098	57-14-7	Dimethylcarbamoyl chloride 1,1-Dimethylhydrazine

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U099	540-73-8	1,2-Dimethylhydrazine
U101	105-67-9	2,4-Dimethylphenol
U102	131-11-3	Dimethyl phthalate
U103	77-78-1	Dimethyl sulfate
U105	121-14-2	2,4-Dinitrotoluene
U106	606-20-2	2,6-Dinitrotoluene
U107	117-84-0	Di-n-Octyl phthalate
U108	123-91-1	1,4-Dioxane
U109	122-66-7	1,2-Diphenylhydrazine
U110	142-84-7	Dipropylamine (I)
U111	621-64-7	Di-n-propylnitrosamine
U403	97-77-8	Disulfiram
U041	106-89-8	Epichlorohydrin
U390	759-94-4	EPTC
U001	75-07-0	Ethanal (I)
U404	121-44-8	Ethanamine, N,N-diethyl-
U174	55-18-5	Ethanamine, N-ethyl-N-nitroso-
U155	91-80-5	1,2-Ethanediimine, N,N-dimethyl-N'-2-pyridinyl -N'-(2-thienylmethyl)-
U067	106-93-4	Ethane, 1,2-dibromo-
U076	75-34-3	Ethane, 1,1-dichloro-
U077	107-06-2	Ethane, 1,2-dichloro-
U131	67-72-1	Ethane, hexachloro-
U024	111-91-1	Ethane,
U117	60-29-7	1,1'-(methylenebis(oxy))bis(2-chloro-
U025	111-44-4	Ethane, 1,1'-oxybis- (I)
U184	76-01-7	Ethane, 1,1'-oxybis(2-chloro-
U208	630-20-6	Ethane, pentachloro-
U209	79-34-5	Ethane, 1,1,1,2-tetrachloro-
U218	62-55-5	Ethane, 1,1,2,2-tetrachloro-
U226	71-55-6	Ethanethioamide
U227	79-00-5	Ethane, 1,1,1-trichloro-
U410	59669-26-0	Ethane, 1,1,2-trichloro-
U394	30558-43-1	Ethanimidethioic acid, N,N'- [thiobis-((methylimino)carbonyloxy)] bis-, dimethyl ester
U353	110-80-5	Ethanimidethioic acid, 2-(dimethyl- amine)-N-hydroxy-2-oxo-, methyl ester
U173	1116-54-7	Ethanol, 2-ethoxy-
U395	5952-26-1	Ethanol, 2,2'-(nitrosoamino)bis-
U004	98-86-2	Ethanol, 2,2'-oxybis-, dicarbamate
U043	75-01-4	Ethanone, 1-phenyl- Ethene, chloro-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U042	110-75-8	Ethene,(2-chloroethoxy)-
U078	75-35-4	Ethene, 1,1-dichloro-
U079	156-60-5	Ethene, 1,2-dichloro-, (E)-
U210	127-18-4	Ethene, trichloro-
U228	79-01-6	Ethene, trichloro-
U112	141-78-6	Ethyl acetate (I)
U113	140-98-5	Ethyl acrylate (I)
U238	51-79-6	Ethyl carbamate (urethane)
U117	60-29-7	Ethyl ether
U114	1811-54-6	Ethylenebis dithiocarbamic acid, salts and esters
U067	106-93-4	Ethylene dibromide
U077	107-06-2	Ethylene dichloride
U359	110-80-5	Ethylene glycol monoethyl ether
U115	75-21-8	Ethylene oxide (I,T)
U116	96-45-7	Ethylene thiourea
U076	75-34-3	Ethylidene dichloride
U118	97-63-2	Ethyl methacrylate
U119	62-50-0	Ethyl methanesulfonate
U407	14324-45-1	Ethyl Ziram
U396	<u>14481-61-1</u>	<u>Perbam</u>
U120	206-44-0	Fluoranthene
U122	50-00-0	Formaldehyde
U123	64-18-6	Formic acid (C,T)
U124	110-00-9	Furan (I)
U125	98-01-1	2-Furancarboxaldehyde (I)
U147	108-31-6	2,5-Furandione
U213	109-99-9	Furan, tetrahydro- (I)
U125	98-01-1	Furfural (I)
U124	110-00-9	Furfuran (I)
U206	18883-66-4	Glucopyranose, 2-deoxy-2-(3-methyl-3-nitroso-2-oxo-1,2-dihydroxypropyl)-, D-
U206	18883-66-4	D-Glucose,
U126	765-34-4	2-deoxy-2-[(methylnitrosoamino)-carbonylamino]-
U163	70-25-7	Glycidylaldehyde
U127	118-74-1	Guanidine,
U128	77-68-3	N-methyl-N'-nitro-N-nitroso-Hexachlorobenzene
U130	77-47-4	Hexachlorobutadiene
U131	67-72-1	Hexachlorocyclopentadiene
U132	70-30-4	Hexachloroethane
U243	1888-71-7	Hexachlorophene

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U133	302-01-2	Hydrazine (R,T)
U086	1615-80-1	Hydrazine, 1,2-diethyl-
U098	57-14-7	Hydrazine, 1,1-dimethyl-
U099	540-73-8	Hydrazine, 1,2-dimethyl-
U109	122-66-7	Hydrazine, 1,2-diphenyl-
U134	7664-39-3	Hydrofluoric acid (C,T)
U135	7664-39-3	Hydrogen fluoride (C,T)
U135	7783-06-4	Hydrogen sulfide H[2]S
U096	80-15-9	Hydroperoxide, 1-methyl-1-phenylethyl- (R)
U116	96-45-7	2-Imidazolidinethione
U137	193-39-5	Indeno(1,2,3-cd)pyrene
U375	55406-53-6	3-Iodo-2-propynyl n-butylcarbamate
U396	<u>14484-64-1</u>	<u>Iron, tris(dimethylcattamodithioato-S,S')-</u>
U190	85-44-9	1,3-Isobenzofurandione
U140	78-83-1	Isobutyl alcohol (I,T)
U141	120-58-1	Isosafrole
U142	143-50-0	Kepone
U143	303-34-4	Lasiocarpene
U144	301-04-2	Lead acetate
U146	1335-32-6	Lead, bis(acetato-0)tetrahydroxytri-
U145	7446-27-7	Lead phosphate
U146	1335-32-6	Lead subacetate
U129	58-89-9	Lindane
U163	70-25-7	MNNG
U147	108-31-6	Maleic anhydride
U148	123-33-1	Maleic hydrazide
U149	109-77-3	Malononitrile
U150	148-82-3	Melphalan
U151	7439-97-6	Mercury
U384	137-42-8	Metam Sodium
U152	126-98-7	Methacrylonitrile (I,T)
U092	124-40-3	Methanamine, N-methyl- (I)
U029	74-83-9	Methane, bromo-
U045	74-87-3	Methane, chloro- (I,T)
U046	107-30-2	Methane, chloromethoxy-
U068	74-95-3	Methane, dibromo-
U080	75-09-2	Methane, dichloro-
U075	75-71-8	Methane, dichlorodifluoro-
U138	74-88-4	Methane, iodo-
U119	62-50-0	Methanesulfonic acid, ethyl ester
U211	56-23-5	Methane, tetrachloro-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U153	74-93-1	Methanethiol (I,T)
U225	75-25-2	Methane, tribromo-
U044	67-66-3	Methane, trichloro-
U121	75-69-4	Methane, trichlorofluoro-
U036	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-
U154	67-56-1	Methanol (I)
U155	91-80-5	Methapyrene
U142	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one,
U247	72-43-5	1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-methoxycyclo-
U154	67-56-1	Methyl alcohol (I)
U029	74-83-9	Methyl bromide
U186	504-60-9	1-Methylbutadiene (I)
U045	74-87-3	Methyl chloride (I,T)
U156	79-22-1	Methyl chlorocarbonate (I,T)
U226	71-55-6	Methylchloroform
U157	56-49-5	3-Methylcholanthrene
U158	101-14-4	4,4'-Methylenebis(2-chloroaniline)
U068	74-95-3	Methylene bromide
U080	75-09-2	Methylene chloride
U159	78-93-3	Methyl ethyl ketone (MEK) (I,T)
U160	1338-23-4	Methyl ethyl ketone peroxide (R,T)
U138	74-88-4	Methyl iodide
U161	108-10-1	Methyl isobutyl ketone (I)
U162	80-62-6	Methyl methacrylate (I,T)
U161	108-10-1	4-Methyl-2-pentanone (I)
U164	56-04-2	Methylthiouracil
U010	50-07-7	Mitomycin C
U365	2212-67-1	Mclinate
U059	20830-81-3	5,12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy)-alpha-L-lyxo-hexapyranosyl)oxyl]-
U167	134-32-7	-1-methoxy-, (8S-cis)-
U168	91-59-8	1-Naphthalenamine
U026	494-03-1	2-Napthalenamine
U165	91-20-3	Naphthaleneamine,
U047	91-58-7	N,N'-bis(2-chloroethyl)-
U166	130-15-4	Naphthalene
		Naphthalene, 2-chloro-
		1,4-Naphthalenedione

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U236	72-57-1	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-(1,1'-biphenyl)-4,4'-diyl) bis(azo)bis[5-amino-4-hydroxy]-, tetrasodium salt
U279	63-25-2	1-Naphthalenol, methylcarbamate
U166	130-15-4	1,4-Naphthoquinone
U167	134-32-7	alpha-Naphthylamine
U168	91-53-8	beta-Naphthylamine
U217	10102-45-1	Nitric acid, thallium (I+) salt
U169	98-95-3	Nitrobenzene (I,T)
U170	100-02-7	p-Nitrophenol
U171	79-46-9	2-Nitropropane (T)
U172	924-16-3	N-Nitrosodi-n-butylamine
U173	1116-54-7	N-Nitrosodietanolamine
U174	55-18-5	N-Nitrosodiethylamine
U176	759-73-9	N-Nitroso-N-ethylurea
U177	684-93-5	N-Nitroso-N-methylurea
U178	615-53-2	N-Nitroso-N-methylurethane
U179	100-75-4	N-Nitrosopiperidine
U180	930-55-2	N-Nitrosopyrrolidine
U181	99-55-8	5-Nitro-o-toluidine
U193	1120-71-4	1,2-Oxathiolane, 2,2-dioxide
U058	50-18-0	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-oxide
U115	75-21-8	Oxirane (I,T)
U126	765-34-4	Oxiranecarboxaldehyde
U041	106-89-8	Oxirane, (chloromethyl)-
U182	123-63-7	Paraldehyde
U391	111-71-2	Petuiate
U183	608-93-5	Pentachlorobenzene
U184	76-01-7	Pentachloroethane
U185	82-68-8	Pentachloronitrobenzene (PCNB)
See		
F027	87-86-5	pentachlorophenol
U161	108-10-1	Pentanol, 4-methyl-
U186	504-60-9	1,3-Pentadiene (I)
U187	62-44-2	Phenacetin
U188	108-95-2	Phenol
U048	95-57-8	Phenol, 2-chloro-
U039	59-50-7	Phenol, 4-chloro-3-methyl-
U081	120-83-2	Phenol, 2,4-dichloro-
U082	87-65-0	Phenol, 2,6-dichloro-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U089	56-53-1	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-
U101	105-67-9	Phenol, 2,4-dimethyl-
U052	1319-77-3	Phenol, methyl-
U132	70-30-4	Phenol,
U411	114-26-1	2,2'-methylenebis[3,4,6-trichloro-Phenol, 2-(1-methylethoxy)-, methyl-Carbamate]
U170	100-02-7	Phenol, 4-nitro-
See F027		
U027	87-86-5	Phenol, Pentachloro-
See F027		
U027	58-90-2	Phenol, 2,3,4,6-tetrachloro-
See F027		
U027	95-95-4	Phenol, 2,4,5-trichloro-
See F027		
U150	88-06-2	Phenol, 2,4,6-trichloro-
	148-82-3	L-Phenylalanine,
		4-[bis(2-chloroethyl)amino]-
U145	7446-27-7	Phosphoric acid, lead (2+) salt (2:3)
U087	3288-58-2	Phosphorodithioic acid,
		O,O-diethyl S- methyl ester
U189	1314-80-3	Phosphorus sulfide (R)
U190	85-44-9	Phthalic anhydride
U191	109-06-8	2-Picoline
U179	100-75-4	Piperidine, 1-nitroso-
U400	120-54-7	Piperidine, 1,1'-(tetrathiodicarbonylthioyl)-bis-
U383	128-03-0	Potassium dimethylthiocarbamate
U378	51026-28-9	Potassium n-hydroxymethyl-n-methylthiocarbamate
U377	137-41-7	Potassium n-methylthiocarbamate
U192	23950-58-5	Pronamide
U194	107-10-8	1-Propanamine (I,T)
U111	621-64-7	1-Propanamine, N-nitroso-N-propyl-
U110	142-84-7	1-Propanamine, N-propyl- (I)
U066	96-12-8	Propane, 1,2-dibromo-3-chloro-
U083	78-87-5	Propane, 1,2-dichloro-
U149	109-77-3	Propanedinitrile
U171	79-46-9	Propane, 2-nitro- (I,T)
U027	108-60-1	Propane, 2,2'-oxybis[2-chloro-
See F027		
	93-72-1	Propanoic acid, 2-(2,4,5-trichlorophenoxy)-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U193	1120-71-4	1,3-Propane sultone
U235	126-72-7	1-Propanol, 2,3-dibromo-, phosphate (3:1)
U140	78-83-1	1-Propanol, 2-methyl- (I,T)
U002	67-64-1	2-Propanone (I)
U007	79-06-01	2-Propanamide
U084	542-75-6	1-Propene, 1,3-dichloro-
U243	1888-71-7	1-Propene, 1,1,2,3,3,3-hexachloro-
U009	107-13-1	2-Propenenitrile
U152	126-98-7	2-Propenenitrile, 2-methyl- (I,T)
U008	79-10-7	2-Propenoic acid (I)
U113	140-88-5	2-Propenoic acid, ethyl ester (I)
U118	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester
U162	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
U373	122-42-9	Propam
U411	114-26-1	Propoxur
See F027		
	93-72-1	Propionic acid,
		2-(2,4,5-trichlorophenoxy)-
U194	107-10-8	n-Propylamine (I,T)
U083	78-87-5	Propylene dichloride
U387	52888-80-9	Prosulfocarb
U148	123-33-1	3,6-Pyridazinedione, 1,2-dihydro-
U196	110-86-1	Pyridine
U191	109-06-8	Pyridine, 2-methyl-,
U237	66-75-1	2,4-(1H,3H)-Pyrimid edione, 5-bis(2-chloroethylamino)-
U164	58-04-2	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U180	930-55-2	Pyrrrolidine, 1-nitroso-
U200	50-55-5	Reserpine
U201	108-46-3	Resorcinol
U202	P81-07-2	Saccharin and salts
U203	94-59-7	Safrole
U204	7783-00-8	Selenious acid
U204	7783-00-8	Selenium dioxide
U205	7488-56-4	Selenium sulfide
U205	7488-56-4	Selenium sulfide S[e]S[2] (R,T)
U376	144-34-3	Selenium, tetrakis(dimethylthio-Carbamate)
U015	115-02-6	L-Serine, diazoacetate (ester)
See		

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Hazardous Waste No.	Chemical Abstracts No.	Substance
F027	93-72-1	Solvex (2,4,5-TP)
U379	136-30-1	Sodium dibutylthiocarbamate
U381	148-18-5	Sodium diethylthiocarbamate
U382	128-04-1	Sodium dimethylthiocarbamate
U206	18883-66-4	Streptozotocin
U277	95-06-7	Sulfallate
U103	77-78-1	Sulfuric acid, dimethyl ester
U189	1314-80-3	Sulfur phosphide (R)
See		
F027	93-76-5	2,4,5-T
U402	1634-02-2	Tetrabutylthiuram disulfide
U207	95-94-3	1,2,4,5-Tetrachlorobenzene
U208	630-20-6	1,1,1,2-Tetrachloroethane
U209	79-34-5	1,1,2,2-Tetrachloroethane
U210	127-18-4	Tetrachloroethylene
See		
F027	58-90-2	2,3,4,6-Tetrachlorophenol
U213	109-99-9	Tetrahydrofuran (I)
U401	97-74-5	Tetramethylthiuram monosulfide
U366	533-74-4	2H-1,3,5-Thiadiazine-2-thione, tetrahydro-3,5-dimethyl-
U214	563-68-8	Thallium (I) acetate
U215	6533-73-9	Thallium (I) carbonate
U216	7791-12-0	Thallium (I) chloride
U216	7791-12-0	Thallium chloride TlCl
U217	10102-45-1	Thallium (I) nitrate
U218	62-55-5	Thioacetamide
U410	59669-26-0	Thiodicarb
U153	74-93-1	Thiomethanol (I,T)
U402	1634-02-2	Thioperoxydicarbonic diamide, tetrabutyl
U403	97-77-8	Thioperoxydicarbonic diamide, tetraethyl
U244	137-26-8	Thioperoxydicarbonic diamide [(H ₂ [N]C(S)) ₂][S(2)], tetramethyl-
U409	23564-05-8	Thiophanate-methyl
U219	62-56-6	Thiourea
U244	137-26-8	Thiram
U220	108-88-3	Toluene
U221	25376-45-8	Toluenediamine
U223	26471-62-5	Toluene diisocyanate (R,T)
U328	95-53-4	O-Toluidine
U353	106-49-0	P-Toluidine
U222	636-21-5	O-Toluidine hydrochloride

(Source: Amended at 20 _____, effective _____)

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U389	2303-17-5	Triallate
U011	61-82-5	1H-1,2,4-Triazol-3-amine
U227	79-00-5	1,1,2-Trichloroethane
U228	79-01-6	Trichloroethylene
U121	75-69-4	Trichloromonofluoromethane
See		
F027	95-95-4	2,4,5-Trichlorophenol
See		
F027	88-06-2	2,4,6-Trichlorophenol
U404	121-44-8	Triethylamine
U234	99-35-4	1,3,5-Trinitrobenzene (R,T)
U182	123-63-7	1,3,5-Trioxane, 2,4,6-trimethyl-
U235	126-72-7	Tris(2,3-dibromopropyl) phosphate
U236	72-57-1	Trypan blue
U237	66-75-1	Uracil mustard
U176	759-73-9	Urea, N-ethyl-N-nitroso-
U177	684-93-5	Urea, N-methyl-N-nitroso-
U385	1929-77-7	Vernolate
U043	75-01-4	Vinyl chloride
U248	P81-81-2	Warfarin, and salts, when present at concentrations of 0.3% or less
U239	1330-20-7	Xylene (I)
U200	50-55-5	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester, (3beta,16beta,17alpha,18beta,20alpha)-Zinc, bis(diethylcarbamodithioato-S,S')-
U407	14324-55-1	Zinc phosphide Zn[3P(2)], when present at concentrations of 10% or less
U249	1314-84-7	

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Section 721.APPENDIX G Basis for Listing Hazardous Wastes

EPA hazardous waste No.	Hazardous constituents for which listed
F001	Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, carbon tetrachloride, chlorinated fluorocarbons.
F002	Tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, ortho-dichlorobenzene, trichlorofluoromethane.
F003	N.A.
F004	Cresols and cresylic acid, nitrobenzene.
F005	Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, 2-ethoxyethanol, benzene, 2-nitropropane.
F006	Cadmium, hexavalent chromium, nickel, cyanide (complexed).
F007	Cyanide (salts).
F008	Cyanide (salts).
F009	Cyanide (salts).
F010	Cyanide (salts).
F011	Cyanide (salts).
F012	Cyanide (complexed).
F019	Hexavalent chromium, cyanide (complexed).
F020	Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetrachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amines and other salts.
F021	Penta- and hexachlorodibenzo-p-dioxins; penta- and hexachlorodibenzofurans; pentachlorophenol and its derivatives.
F022	Tetra-, penta- and hexachlorodibenzo-p-dioxins; tetra-, penta- and hexachlorodibenzofurans.
F023	Tetra- and pentachlorodibenzo-p-dioxins; tetra- and pentachlorodibenzofurans; tri- and tetra- chlorophenols and their chlorophenoxy derivative acids, esters, ethers, amines and other salts.
F024	Chloromethane, dichloromethane, trichloromethane, carbon tetrachloride, chloroethylene, 1, 1-dichloroethane, 1, 2-dichloroethane, trans-1, 2-dichloroethylene, 1, 1-dichloroethylene, 1, 1, 1-trichloroethane, 1, 1, 2-trichloroethane, 2-trichloroethane, trichloroethylene, 1, 1, 1, 2-tetrachloroethane, 1, 1, 2, 2-tetrachloroethane, tetrachloroethylene, pentachloroethane, hexachloroethane, allyl chloride (3-chloropropene), dichloropropane, dichloropropene, 2-chloro-1, 3-butadiene, hexachloro-1, 3-butadiene, hexachlorocyclopentadiene, hexachlorocyclohexane, benzene, chlorobenzene, dichlorobenzenes, 1, 2, 4-trichlorobenzene,

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EPA hazardous waste No.	Hazardous constituents for which listed
F025	tetrachlorobenzenes, pentachlorobenzene, hexachlorobenzene, toluene, naphthalene. Chloromethane, dichloromethane, trichloromethane; carbon tetrachloride; chloroethylene; trans-1,2-dichloroethylene; 1,2-dichloroethane; 1,1-dichloroethylene; 1,1,1-trichloroethane; 1,1,2-trichloroethane; 1,1,2-tetrachloroethane; 1,1,2,2-tetrachloroethane; allyl tetrachloroethylene; pentachloroethane; hexachloroethane; allyl chloride (3-chloropropene); dichloropropane; dichloropropene; 2-chloro-1,3-butadiene; hexachloro-1,3-butadiene; hexachlorocyclopentadiene; benzene; chlorobenzene; dichlorobenzene; 1,2,4-trichlorobenzene; tetrachlorobenzene; pentachlorobenzene; hexachlorobenzene; toluene; naphthalene. Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans. Tetra-, penta, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts. Tetra-, penta-, and hexachlorodibenzo-p-dioxins; tetra-, penta-, and hexachlorodibenzofurans; tri-, tetra-, and pentachlorophenols and their chlorophenoxy derivative acids, esters, ethers, amine and other salts. Benz(a)anthracene, benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, pentachlorophenol, arsenic, chromium, tetra-, penta-, hexa-, hepta- and octachlorodibenzo-p-dioxins, tetra-, penta-, hexa-, hepta- and octachlorodibenzofurans. Benz(a)anthracene, benzo(k)fluoranthene, benzo(a)pyrene, dibenz(a,h)anthracene, indeno(1,2,3-cd)pyrene, naphthalene, arsenic, chromium and lead. Arsenic, chromium and lead. Benzene, benzo(a)pyrene, chrysene, lead, chromium. Benzene, benzo(a)pyrene, chrysene, lead, chromium. All constituents for which treatment standards are specified for multi-source leachate (wastewaters and non-wastewaters) under 35 Ill. Adm. Code 728. Table B (Constituent Concentrations in Waste). K001 Pentachlorophenol, phenol, 2-chlorophenol, p-chloro-m-cresol, 2,4-dimethylphenol, 2,4-dinitrophenol, trichlorophenols, tetrachlorophenols, 2,4-dinitrophenol, cresosote, chrysene, naphthalene, fluoranthene, benzo(b)fluoranthene, benzo(a)pyrene, indeno(1,2,3-cd)pyrene, benz(a) anthracene, dibenz(a)anthracene, acenaphthalene. K002 Hexavalent chromium, lead.

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EPA hazardous waste No.	Hazardous constituents for which listed	EPA hazardous waste No.	Hazardous constituents for which listed
K003	Hexavalent chromium, lead.	K032	Hexachlorocyclopentadiene.
K004	Hexavalent chromium.	K033	Hexachlorocyclopentadiene.
K005	Hexavalent chromium, lead.	K034	Hexachlorocyclopentadiene.
K006	Hexavalent chromium.	K035	Creosote, chrysene, naphthalene, fluoranthene, benzo(b)fluoranthene, benzo(a)-pyrene, indeno(1,2,3-cd)pyrene, benzo(a)anthracene, dibenzo(a)anthracene, acenaphthalene.
K007	Cyanide (complexed), hexavalent chromium.	K036	Toluene, phosphorodithioic and phosphorothioic acid esters.
K008	Hexavalent chromium.	K037	Toluene, phosphorodithioic and phosphorothioic acid esters.
K009	Chloroform, formaldehyde, methylene chloride, methyl chloride, paraaldehyde, formic acid.	K038	Phosphate, formaldehyde, phosphorodithioic and phosphorothioic acid esters.
K010	Chloroform, formaldehyde, methylene chloride, methyl chloride, paraaldehyde, formic acid, chloroacetaldehyde.	K039	Phosphorodithioic and phosphorothioic acid esters.
K011	Acrylonitrile, acetone, nitrile, hydrocyanic acid.	K040	Phosphate, formaldehyde, phosphorodithioic and phosphorothioic acid esters.
K012	Hydrocyanic acid, acrylonitrile, acetone, nitrile.	K041	Toxaphene.
K013	Acetone, nitrile, acrylamide.	K042	Hexachlorobenzene, ortho-dichlorobenzene.
K014	Benzyl chloride, chlorobenzene, toluene, benzotrifluoride.	K043	2,4-dichlorophenol, 2,6-dichlorophenol, 2,4,6-trichlorophenol.
K015	Hexachlorobenzene, hexachlorobutadiene, carbon tetrachloride, hexachloroethane, perchloroethylene.	K044	N.A.
K016	Epichlorohydrin, chloroethers (bis(chloromethyl) ether and bis-(2-chloroethyl) ethers), trichloropropane, dichloropropanols.	K045	N.A.
K017	1,2-dichloroethane, trichloroethylene, hexachlorobutadiene, hexachlorobenzene.	K046	Lead.
K018	Ethylene dichloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, tetrachloroethanes.	K047	N.A.
K019	(1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane), trichloroethylene, tetrachloroethylene, carbon tetrachloride, chloroform, vinyl chloride, vinylidene chloride.	K048	Hexavalent chromium, lead.
K020	Ethylene dichloride, 1,1,1-trichloroethane, 1,1,2-trichloroethane, tetrachloro-ethanes (1,1,2,2-tetrachloroethane and 1,1,1,2-tetrachloroethane), trichloroethylene, tetrachloroethylene, carbon tetrachloride, chloroform, vinyl chloride, vinylidene chloride.	K049	Hexavalent chromium, lead.
K021	Antimony, carbon tetrachloride, chloroform.	K050	Hexavalent chromium.
K022	Phenol, tars polycyclic aromatic hydrocarbons).	K051	Hexavalent chromium, lead.
K023	Phthalic anhydride, maleic anhydride.	K052	Lead.
K024	Phthalic anhydride, 1,4-naphthoquinone.	K053	Cyanide, naphthalene, phenolic compounds, arsenic.
K025	Meta-dinitrobenzene, 2,4-dinitrophenol.	K054	Hexavalent chromium, lead, cadmium.
K026	Paraaldehyde, pyridines, 2-picoline.	K055	Lead, cadmium.
K027	Toluene diisocyanate, toluene-2,4-diamine.	K056	Lead, cadmium.
K028	1,1,1-trichloroethane, vinyl chloride.	K057	Hexavalent chromium, lead, cadmium.
K029	1,1,2-dichloroethane, 1,1,1-trichloroethane, vinyl chloride, vinylidene chloride, chloroform.	K058	Mercury.
K030	Hexachlorobenzene, hexachlorobutadiene, ethylene dichloride.	K059	Chloroform, carbon tetrachloride, hexachloroethane, trichloroethane, tetrachloroethylene, 1,1,2,2-tetrachloroethane.
K031	Arsenic.	K060	Aniline, diphenylamine, nitrobenzene, phenylenediamine.
		K061	Arsenic.
		K062	Benzene, dichlorobenzenes, trichlorobenzenes, hexachlorobenzene, hexachloroethane, pentachlorobenzene, benzyl chloride.
		K063	Lead, hexavalent chromium.
		K064	Phenol, naphthalene.
		K065	Cyanide (complexes).
		K066	
		K067	
		K068	
		K069	
		K070	
		K071	
		K072	
		K073	
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		K076	
		K077	
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		K079	
		K080	
		K081	
		K082	
		K083	
		K084	
		K085	
		K086	
		K087	
		K088	

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EPA hazardous waste No.	Hazardous constituents for which listed
K090	Chromium.
K091	Chromium.
K092	Phthalic anhydride, maleic anhydride.
K094	Phthalic anhydride.
K095	1,1,2-trichloroethane, 1,1,1,2-tetrachloroethane,
K096	1,1,2,2-tetrachloroethane.
K097	1,2-dichloroethane, 1,1,1-trichloroethane,
K098	1,1,2-trichloroethane.
K099	Chlordane, heptachlor.
K100	Toxaphene.
K101	2,4-dichlorophenol, 2,4,6-trichlorophenol.
K102	Hexavalent chromium, lead, cadmium.
K103	Arsenic.
K104	Arsenic.
K105	Aniline, nitrobenzene, phenylenediamine.
K106	Aniline, benzene, diphenylamine, nitrobenzene,
K107	phenylenediamine.
K108	Benzene, monochlorobenzene, dichlorobenzenes,
K109	2,4,6-trichlorophenol.
K110	Mercury.
K111	2,4-Dinitrotoluene.
K112	2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
K113	2,4-Toluenediamine, o-toluidine, p-toluidine, aniline.
K114	2,4-Toluenediamine, o-toluidine, p-toluidine.
K115	2,4-Toluenediamine.
K116	Carbon tetrachloride, tetrachloroethylene,
K117	chloroform, phosgene.
K118	Ethylene dibromide.
K119	Ethylene dibromide.
K120	Ethylene thiourea.
K121	Ethylene thiourea.
K122	Ethylene thiourea.
K123	Ethylene thiourea.
K124	Dimethyl sulfoxide, methyl bromide.
K125	Methyl bromide.
K126	Ethylene dibromide.
K127	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K128	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K129	indeno(1,2,3-cd)pyrene.
K130	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K131	benzo(k)fluoranthene, indeno(1,2,3-cd)pyrene,
K132	indeno(1,2,3-cd)pyrene.
K133	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K134	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K135	indeno(1,2,3-cd)pyrene.
K136	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K137	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K138	indeno(1,2,3-cd)pyrene.
K139	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K140	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K141	indeno(1,2,3-cd)pyrene.
K142	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K143	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K144	indeno(1,2,3-cd)pyrene.

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EPA hazardous waste No.	Hazardous constituents for which listed
K144	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K145	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K146	Benzene, benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K147	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K148	indeno(1,2,3-cd)pyrene.
K149	Benz(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene,
K150	benzo(k)fluoranthene, dibenz(a,h)anthracene,
K151	indeno(1,2,3-cd)pyrene.
K152	Benzotrichloride, benzyl chloride, chloroform, chloroacetic acid,
K153	chlorobenzene, 1,4-dichlorobenzene, hexachlorobenzene,
K154	pentachlorobenzene, 1,2,4,5-tetrachlorobenzene, 1,2,3,4-tetrachlorobenzene,
K155	Carbon tetrachloride, chloroform, chloroacetic acid,
K156	1,4-dichlorobenzene, hexachlorobenzene, pentachlorobenzene,
K157	1,2,4,5-tetrachlorobenzene, 1,2,3,4-tetrachlorobenzene,
K158	tetrachloroethylene, 1,2,4-trichlorobenzene,
K159	Benzene, carbon tetrachloride, chloroform, hexachlorobenzene,
K160	pentachlorobenzene, toluene, 1,2,4,5-tetrachlorobenzene,
K161	tetrachloroethylene.
K162	Benzoyl, carbaryl, captafen, carbendazim, carbosulfan, chloroform,
K163	formaldehyde, methylene chloride, triethylamine,
K164	Carbon tetrachloride, formaldehyde, methyl chloride, methylene
K165	chloride, pyridine, triethylamine,
K166	Benzoyl, carbendazim, carbosulfan, carbosulfan, chloroform,
K167	methylenedichloride,
K168	Benzene, butylate, BPC, molinate, pebulate, verpilate,
K169	Benzene, butylate, BPC, molinate, pebulate, verpilate,
K170	Antimony, arsenic, mercuric, sodium, zinc.

N.A.--Waste is hazardous because it fails the test for the characteristic of ignitability, corrosivity or reactivity.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 721.APPENDIX H Hazardous Constituents

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
A2213	Ethanimidothioic acid, 2-(dimethylamino)-N-nydroxy-2-oxo-, methyl ester	30558-43-1	U394
Acetonitrile	Same	75-05-8	U003
Acetophenone	Ethanone, 1-phenyl-	98-86-2	U004
2-Acetylaminofluorene	Acetamide, N-9H-fluoren-2-yl-	53-96-3	U005
Acetyl chloride	Same	75-36-5	U006
1-Acetyl-2-thiourea	Acetamide,	591-08-2	P002
Acrolein	N-(aminothioxomethyl)-2-Propenal	107-02-8	P003
Acrylamide	2-Propenamide	79-06-1	U007
Acrylonitrile	2-Propenenitrile	107-13-1	U009
Aflatoxins	Same	1402-68-2	
Aldicarb	Propanal, 2-methyl-2-(methylthio)-, 0-[(methylamino)carbonyl] oxime	116-06-3	P070
Aldicarb sulfone	Propanal, 2-methyl-2-(methylsulfonyl)-, O-[(methylamino)carbonyl]-oxime	1646-88-4	P203
Aldrin	1,4,5,8-Dimethyl-4,5,8,9-tetrahydro-2H-anonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8a-hexahydro-, 1-alpha, 4-alpha 4a-beta, 5-alpha, 8-alpha 8a-beta)-	309-00-2	P004
Allyl alcohol	2-Propen-1-ol	107-18-6	P005
Allyl chloride	1-Propene, 3-chloro-	107-18-6	
Aluminum phosphide	Same	20859-73-8	P006
4-Aminobiphenyl	[1,1'-Biphenyl] 4-amine	92-67-1	
5-(Aminomethyl)-3-isoxazolol	3(2H)-isoxazolone, 5-(aminomethyl)-	2763-96-4	P007
4-Aminopyridine	4-Pyridinamine	504-24-5	P008
Amtrrole	1H-1,2,4-Triazol-3-amine	61-82-5	U011
Ammonium vanadate	Vanadic acid, ammonium salt	7803-55-6	U119
Aniline	Benzenamine	62-53-3	U012
Antimony	Same	7440-36-0	
Antimony compounds, N.O.S.			

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
(not otherwise specified)			
Aramite	Sulfurous acid, 2-(4-chloroethyl)-, 2-[(4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester	140-57-8	
Arsenic	Arsenic	7440-38-2	
Arsenic compounds, N.O.S			
Arsenic acid	Arsenic acid H[3]AsO[4]	7778-39-4	P010
Arsenic pentoxide	Arsenic oxide As[2]O[5]	1303-28-2	P011
Arsenic trioxide	Arsenic oxide As[2]O[3]	1327-53-3	P012
Auramine	Benzenamine, 4,4'-carbonimidoylbis[N, N-dimethyl-	492-80-8	U014
Azaserine	L-Serine, diazoacetate (ester)	115-02-6	U015
Barban	Carbamic acid, (3-chloro-phenyl)-, 4-chloro-2-butyryl ester	101-27-9	U280
Barium	Same	7440-39-3	
Barium compounds, N.O.S.			
Barium cyanide	Same	542-62-1	P013
Bendiocarb	1,3-Benzodioxol-4-ol-2,2-dimethyl-, methyl carbamate	22781-23-3	U278
Bendiocarb phenol	1,3-Benzodioxol-4-ol-2,2-dimethyl-, carbamic acid, (1-[(butylamino)carbonyl]-1H-benzimidazol-2-yl)-, methyl ester	22961-82-6	U364
Benomyl	Carbamic acid, (1-[(butylamino)carbonyl]-1H-benzimidazol-2-yl)-, methyl ester	17804-35-2	U271
Benz[c]acridine	Same	225-51-4	U016
Benz[a]anthracene	Same	56-55-3	U018
Benzal chloride	Benzene, (dichloromethyl)-	98-87-3	U017
Benzone	Same	71-43-2	U018
Benzenearsonic acid	Arsenic acid, phenyl-[1,1'-Biphenyl]	98-05-5	
Benidine	-4,4'-diamine	92-87-5	U021
Benzo[b]fluoranthene	Benz[e]acephenanthrylene	205-99-2	
Benzo[f]fluoranthene	Same	205-82-3	
Benzo[k]fluoranthene	Same	207-08-9	
Benzo[a]pyrene	Same	50-32-8	U022
p-Benzoquinone	2,5-Cyclohexadiene-1,4-dione	106-51-4	U197
Benzotrichloride	Benzene,	98-07-7	U023

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
N.O.S.	Same	218-01-9	U050
Chrysene	2-Naphthalenol, 1-[(2, 5-dimethoxyphenyl) azo]-	6358-53-8	
Citrus red No. 2	Same		
Coal tar creosote	Same	8007-45-2	
Copper cyanide	Copper cyanide CuCN	544-92-3	P029
Copper	Copper, bis(dimethyl-carbamodithioato-S,S')-, dimethyldithiocarbamate	137-29-1	U393
Creosote	Same		U051
Cresols (Cresylic acids)	Phenol, methyl-	1319-77-3	U052
Crotonaldehyde	2-Butenal	4170-30-3	U053
m-Cumenyl methylcarbamate	Phenol, 3-(methylethyl)-, methyl carbamate	64-00-6	P202
Cyanides (soluble salts and complexes), N.O.S.			P030
Cyanogen	Ethanedinitrile	460-19-5	P031
Cyanogen bromide	Cyanogen bromide (CN)Br	506-68-3	U246
Cyanogen chloride	Cyanogen chloride (CN)Cl	506-77-4	P033
Cycasin	Beta-D-glucopyranoside, (methyl-ONN-azoxy)methyl	14901-08-7	
Cycloate	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester	1134-23-2	U386
2-Cyclohexyl-4, 6-dinitrophenol	Phenol, 2-cyclohexyl-4, 6-dinitro-	131-89-5	P034
Cyclophosphamide	2H-1, 3, 2-	50-18-0	U058
2, 4-D	Oxazaphosphorin-2-amine, N, N-bis(2-chloroethyl) tetrahydro-, 2-oxide	94-75-7	U240
2, 4-D, salts and esters	Acetic acid, (2,4-dichlorophenoxy)-		U240
Daunomycin	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters	20830-81-3	U059
	5, 12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxohexopyranosyl)oxy]		
	-7,8,9,10-tetrahydro-6, 8,11-trihydroxy-1-methoxy-, 8S-cis)-		

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Dazomet	2H-1,3,5-thiadiazine-2-thione, tetrahydro-3,5-dimethyl	533-74-1	U366
DDD	Benzene, 1,1'-(2,2-dichloroethylidene) bis(4-chloro-	72-54-8	U060
DDE	Benzene 1,1'-(dichloroethylidene)bis [4-chloro-	72-55-9	
DDT	Benzene, 1, 1'-(2, 2, 2-trichloroethylidene) bis(4-chloro-carbamothioic acid, bis(1-methylethyl)-, S-(2, 3-dichloro-2-propenyl) ester	50-29-3	U061
Diallate	Same	226-36-8	
	Same	224-42-0	
	Same	53-70-3	U063
	7H-Dibenzo[c,g]carbazole	194-59-2	
	Dibenzo[a,e]pyrene	192-65-4	
	4-def]chrysene	189-64-0	
	Dibenzo[b,def]chrysene	189-55-9	U064
	Benzo[rs]pentaphene	96-12-8	U066
	propane, 1,2-dibromo-3-chloro-	84-74-2	U069
	1,2-Benzenedicarboxylic acid, dibutyl ester	95-50-1	U070
	Benzene, 1,2-dichloro-	541-73-1	U071
	Benzene, 1,3-dichloro-	106-46-7	U072
	Benzene, 1,4-dichloro-	25321-22-6	
	Dichlorobenzene, N.O.S.		
	3,3'-Dichlorobenzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-	U073
	1,4-Dichloro-2-butene	764-41-0	U074
	Dichlorodifluoromethane	75-71-8	U075
	Dichloroethylene	25323-30-2	
	N.O.S.		
	1,1-Dichloroethylene	75-35-4	U078
	1,2-Dichloroethylene	156-60-5	U079
	Dichloroethyl ether	111-44-4	U025
	1,1'-oxybis[2-chloro-		

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Dichloroisopropyl ether	Propane, 2,2'-oxybis[2-chloro-	108-60-1	U027	O,O-Diethyl O-pyrazinyl phosphorothioate	diethyl ester-Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester-	297-97-2	P040
Dichloromethoxyethane	Ethane, 1,1'-(methylenebis(oxy))bis-[2-chloro-	111-91-1	U024	Diethylstilbestrol	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-	56-53-1	U089
Dichloromethyl ether	Methane, oxybis(chloro-	542-88-1	P016	Dinydrosaftrole	1,3-Benzodioxole, 5-propyl-	94-58-6	U090
2,4-Dichlorophenol	Phenol, 2,4-dichloro-	120-83-2	U081	Disopropyl fluorophosphate (DFP)	Phosphorofluoridic acid, bis(1-methylethyl) ester-	55-91-4	P043
2,6-Dichlorophenol	Phenol, 2,6-dichloro-	87-65-0	U082	Dimethoate	Phosphorodithioic acid, O,O-dimethyl S-(2-(methylamino)-2-oxoethyl) ester	60-51-5	P044
Dichlorophenyl-arsine	Arsonous dichloride	696-28-6	P036	Dimetilan	Carbamic acid, dimethyl-1-[(dimethylamino)carboxyl]-5-methyl-1H-pyrazol-3-yl ester	644-64-4	P191
Dichloropropane, N.O.S.	Propane, dichloro-	26638-19-7					
Dichloropropanol, N.O.S.	Propanol, dichloro-	26545-73-3					
Dichloropropene, N.O.S.	1-Propene, dichloro-	26952-23-8					
1,3-Dichloropropene	1-Propene, 1,3-dichloro-	542-75-6	U084	3,3'-Dimethoxy benzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-	119-90-4	U091
Dieldrin	2,7,3,6-Dimethanonaphtn [2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a, 2,2a,3,6,6a,7,7a-octahydro-, (1a alpha, 2 beta, 2a alpha, 3 beta, 6 beta, 6a alpha, 7 beta, 7a alpha)-	60-57-1	P037	p-Dimethylamino azobenzene	Benzenamine, N,N-dimethyl-4-(phenylazo)-	60-11-7	U093
1,2:3,4-Diepoxybutane	2,2'-Bioxirane	1464-53-5	U085	7,12-Dimethylbenz[a]anthracene	Benz-[a]anthracene, 7,12-dimethyl-	57-97-6	U094
Diethylarsine	Arsine, diethyl-	692-42-2	U038	3,3'-Dimethyl benzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	119-93-7	U095
Diethylene glycol, dicarbamate	Ethanol, 2,2'-oxybis-, dicarbamate	5952-26-1	U395	Dimethylcarbamoyl chloride	Carbamic chloride, dimethyl-	79-44-7	U097
1,4-Diethyleneoxide	1,4-Dioxane	123-91-1	U108	1,1-Dimethylhydrazine	Hydrazine, 1,1-dimethyl-	57-14-7	U098
Diethylhexyl phthalate	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	117-81-7	U028	1,2-Dimethylhydrazine alpha, alpha-Dimethyl phenethylamine	Hydrazine, 1,2-dimethyl-2,4-dimethylphenol	540-73-8	U099
N,N'-Diethylhydrazine	Hydrazine, 1,2-diethyl-	1615-80-1	U086	Dimethylphthalate	1,2-Benzenedicarboxylic acid, dimethyl ester	122-09-8	P046
O,O-Diethyl S-methyl dithiophosphate	Phosphorodithioic acid, O,O-diethyl S-methyl ester-	3288-58-2	U087	Dimethyl sulfate	Sulfuric acid, dimethyl ester	105-67-9	U101
Diethyl-p-nitro-nitrophenyl phosphate	Phosphoric acid, diethyl 4-nitrophenyl ester	311-45-5	P041	Dinitrobenzene, N.O.S.	Phenol, 2,4-dinitro-6-dinitro-	131-11-3	U102
Diethyl phthalate	1,2-Benzenedicarboxylic acid, diethyl ester	84-66-2	U088			77-78-1	U103

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
4,6-Dinitro-o-cresol salts	Phenol, 2,4-dinitro-	51-28-5	P047
2,4-Dinitrophenol	Benzene, 1-methyl-2,4-dinitro-	121-14-2	P048
2,4-Dinitrotoluene	Benzene, 2-methyl-1,3-dinitro-	606-20-2	U105
2,6-Dinitrotoluene	Phenol, 2-(1-methylpropyl)-4,6-dinitro-	88-85-7	U106
Dinoseb	1,2-Benzenedicarboxylic acid, diethyl ester	117-84-0	P020
Di-n-octyl phthalate	Benzenamine, N-phenyl-Hydrazine, 1,2-diphenyl	122-39-4	U107
Diphenylamine	1-Propanamine, N-nitroso-N-propyl-	122-66-7	U109
1,2-Diphenylhydrazine	Thioperoxydicarbonic diamide, tetraethyl-	621-64-7	U111
Di-n-propyl nitrosamine	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester	97-77-8	U403
Disulfiram	Thioimidodicarbonic diamide [(H ₂ N)C(S)] ₂ NH	298-04-4	P039
Disulfoton	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-hexachloro-1, 5, 5a,6,9,9a-hexahydro-3-oxide,	541-53-7	P049
Dithiobiuret	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	115-29-7	P050
Endosulfan	Dimethanonaphth[2,3-b]oxirane, 3,4,5,6,9,9-nexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a alpha, 2 beta, 2a beta, 3 alpha, 6 alpha, 6a beta, 7 beta, 7a alpha)-,	145-73-3	P088
Endothal	2,7,3,6-Dimethanonaphth[2,3-b]oxirane, 3,4,5,6,9,9-nexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a alpha, 2 beta, 2a beta, 3 alpha, 6 alpha, 6a beta, 7 beta, 7a alpha)-,	72-20-8	P051
Endrin-	Oxirane, (chloromethyl)-1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (B)-	106-89-8	P051
Endrin metabolites		51-43-4	U041
Epichlorohydrin			P042
Epinephrine			

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
EPTC	Carbamothioic acid, dipropyl-, S-ethyl ester	759-94-4	U390
Ethyl carbamate (urethane)	Carbamic acid, ethyl ester	51-79-6	U238
Ethyl cyanide	Propanenitrile	107-12-0	P101
Ethylenebisdithiocarbamic acid	Carbamodithioic acid, -1,2-ethanediybis-	111-54-6	U114
Ethylenebisdithiocarbamic acid, salts and esters			U114
Ethylene dibromide	Ethane, 1,2-dibromo-	106-93-4	U067
Ethylene dichloride	Ethane, 1,2-dichloro-	107-06-2	U077
Ethylene glycol	Ethanol, 2-ethoxy-	110-80-5	U359
monoethyl ether			
Ethyleneimine	Aziridine	151-56-4	P054
Ethylene oxide	Oxirane	75-21-8	U115
Ethylenethiourea	2-Imidazoli dithione	96-45-7	U116
Ethylidene dichloride	Ethane, 1,1-dichloro-	75-34-3	U076
Ethyl methacrylate	2-Propenoic acid, 2-methyl-, ethyl ester	97-63-2	U118
Ethyl methanesulfonate	Methanesulfonic acid, ethyl ester	62-50-0	U119
Ethyl Ziram	Zinc, bis(diethylcarbamodithioato-S,S')-,	14324-55-	U407
Famphur	Phosphorothioic acid, O-[4-(dimethylamino)sulfonyl]phenyl	52-85-7	P097
Ferbam	O,O-dimethyl ester Iron, tris(dimethylcarbamodithioato-S,S')-,	14484-64-	U396
Fluoranthene	Same	206-44-0	U120
Fluorine	Same	7782-41-4	P056
Fluoroacetamide	Acetamide, 2-fluoro-	640-19-7	P057
Fluoroacetic acid, sodium salt	Acetic acid, fluoro-, sodium salt	62-74-8	P058
Formaldehyde	Same	50-00-0	U122
Formetanate hydrochloride	Methanimidamide, N,N-dimethyl-N'-[3-[[[(methylamino)carbonyl]-oxy]phenyl]-, monohydrochloride	23422-53-9	P198
Formic acid	Same	64-18-16	U123
Formaranate	Methanimidamide, N,N-dimethyl-N'-[2-methyl-,	17702-57-7	P197

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Glycidylaldehyde	4-(((methyldamino)-carbonyl)oxyphenyl)-	765-34-4	U126	3-Iodo-2-propynyl-n-butyl-carbamate	Carbamic acid, n-butyl-, 3-iodo-2-propynyl ester	55406-53-6	U375
Halomethanes, N.O.S.	Oxiranecarboxaldehyde	76-44-8	P059	Isobutyl alcohol	1-Propanol, 2-methyl-, 1,4,5,8-Dimethano	78-83-1	U140
Heptachlor	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a			Isodrin	naphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1 alpha, 4 alpha, 4a beta, 5 beta, 8 beta, 8a beta)-, Carbamic acid, dimethyl-, 3-methyl-1-(1-methyl-ethyl)-1H-pyrazol-5-yl ester	465-73-6	P060
Heptachlor epoxide	4,7,7a-tetrahydro-2,5-Methano-2H-indeno [1,2b]oxirene, 2,3,4,5,6,7,7-heptachloro-1a, 1b,5,5a,6,6a-hexahydro-, (1a alpha, 1b beta, 2 alpha, 5 alpha, 5a beta, 6 beta, 6a alpha)-	1024-57-3		Isolan	Carbamic acid, dimethyl-, 3-methyl-1-(1-methyl-ethyl)-1H-pyrazol-5-yl ester	119-38-0	P192
Heptachlor epoxide (alpha, beta, and gamma isomers)	5,6,7,7-heptachloro-1a, 1b,5,5a,6,6a-hexahydro-, (1a alpha, 1b beta, 2 alpha, 5 alpha, 5a beta, 6 beta, 6a alpha)-			Isosafrole	1,3-Benzodioxole, 5-(1-propenyl)-	120-58-1	U141
Heptachlorodibenzofurans				Repone	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-, 2-Butenoic acid, 2-methyl-, 7-[[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrazolizin-1-yl ester, [1S-[[1-alpha(2), 7(2S*, 3R*), 7a alpha]]-Same	143-50-0	U142
Hexachlorobenzene	Benzene, hexachloro-1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	118-74-1 87-68-3	U127 U128	Lasiocarpine		303-34-1	U143
Hexachlorocyclopentadiene	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-						
Hexachlorodibenzo-p-dioxins							
Hexachlorodibenzofurans							
Hexachloroethane	Ethane, hexachloro-Phenol, 2,2'-methylene-bis (3,4,6-trichloro-1-Propene, 1,1,2,3,3,3-hexachloro-	67-72-1 70-30-4	U131 U132	Lead	Acetic acid, lead (2+) salt	7439-92-1	U144
Hexachlorophene				Lead and compounds, N.O.S.	Phosphoric acid, lead (2+) salt (2:3)	301-04-2	U145
				Lead acetate	Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-	7446-27-7	U146
				Lead phosphate	Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-	1335-32-6	U129
				Lead subacetate	Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-	58-89-9	U147
				Lindane	Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-	123-33-1	U148
				Maleic anhydride	Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-	108-31-6	
				Maleic hydrazide	Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-	123-33-1	
					Lead, bis(acetato-O) tetrahydroxytri-cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-		

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Nicotine	Pyridine, 3-(1)-methyl-2-pyrrolidinyl)-(S)-	54-11-5	P075
Nicotine salts	Nitrogen oxide NO	10102-43-9	P075
Nitric oxide	Benzenamine, 4-nitro	100-01-6	P076
p-Nitroaniline	Benzene, nitro	98-95-3	P078
Nitrobenzene	Nitrogen oxide NO[2]	10102-44-0	P078
Nitrogen dioxide	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-	51-75-2	
Nitrogen mustard			
Nitrogen mustard, hydrochloride salt			
Nitrogen mustard N-oxide	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-, N-oxide	126-85-2	
Nitrogen mustard, N-oxide, hydrochloride salt			
Nitroglycerin	1,2,3-Propanetriol, trinitrate	55-63-0	P081
p-Nitrophenol	Phenol, 4-nitro	100-02-7	U170
2-Nitropropane	Propane, 2-nitro	79-46-9	U171
Nitrosamines, N.O.S.		35576-91-1	
N-Nitrosodi-n-butylamine	1-Butanamine, N-butyl-N-butyl-N-nitroso-	924-16-3	U172
N-Nitrosodiethanolamine	Ethanol, 2,2'-(nitrosolimino)bis	1116-54-7	U173
N-Nitrosodiethylamine	Ethanamine, N-ethyl-N-nitroso	55-18-5	U174
N-Nitrosodimethylamine	Methanamine, N-methyl-N-nitroso-	62-75-9	P082
N-Nitroso-N-ethylurea	Urea, N-ethyl-N-nitroso-	759-73-9	U176
N-Nitrosomethyl-ethylamine	Ethanamine, N-methyl-N-nitroso	10595-95-6	
N-Nitroso-N-methylurea	Urea, N-methyl-N-nitroso-	684-93-5	U177
N-Nitroso-N-Methylurethane	Carbamic acid, methyl nitroso-, ethyl ester	615-53-2	U178
N-Nitrosomethyl-vinylamine	Vinylamine, N-methyl-N-nitroso-	4549-40-0	P084
N-Nitrosomorpholine	Morpholine, N-methyl-N-nitroso-4-nitroso	59-89-2	
N-Nitrosornicotine	Pyridine, 3-(1-nitroso-2-pyrrolidinyl)-(S)-	16543-55-8	
N-Nitrosopiperidine	Piperidine, 1-nitroso-pyrrolidine, 1-nitroso-	100-75-4	U179
N-Nitrosopyrrolidine		930-55-2	U180

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
N-Nitrososarcosine	Glycine, N-methyl-N-nitroso-	13256-22-9	
5-Nitro-o-toluidine	Benzenamine, 2-methyl-5-nitro-	99-55-8	U181
Octamethylpyrophosphoramide	Diphosphoramide, octamethyl-	152-16-9	P085
Osmium tetroxide	Osmium oxide OsO[4], (T-4)	0816-12-0	P087
Oxamyl	Ethanimidothioic acid, 2-(dimethylamino-N-[[[(methyl-amino)carbonyl]-oxy]-2-oxo-, methyl ester	23135-22-0	P194
Paraldehyde	1,3,-Trioxane, 2,4,6-trimethyl	123-63-7	U182
Parathion	Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester	56-38-2	P089
Pebulate	Carbomethioic acid, butyl-ethyl-, S-propyl ester	1114-71-2	U391
Pentachlorobenzene	Benzene, pentachloro	608-93-5	U183
Pentachlorodibenzo-p-dioxins			
Pentachlorodibenzo-furans			
Pentachloroethane	Ethane, pentachloro	76-01-7	U184
Pentachloronitrobenzene (PCNB)	Benzene, pentachloro nitro-	82-68-8	U185
Pentachlorophenol	Phenol, pentachloro	87-86-5	See F027
Phenacetin	Acetamide, N-(4-ethoxyphenyl)-Same	62-44-2	U187
Phenol	Same	108-95-2	U188
Phenylenediamine	Benzenediamine	25265-76-3	
Phenylmercury acetate	Mercury, (acetato-O)phenyl	62-38-4	P092
Phenylthiourea	Thiourea, phenyl	103-85-5	P093
Phosgene	Carbonic dichloride	75-44-5	P095
Phosphine	Same	7803-51-2	P096
Phorate	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	298-02-2	P094
Phthalic acid esters, N.O.S.			
Phthalic anhydride	1,3-Isobenzofurandione	85-44-9	U190

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number	Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
carbamate	dimethyl-, sodium salt	131522	None	Thallic oxide	Thallium oxide Ti[2]O[3]	1314-32-5	P113
Sodium pentachlorophenate	Pentachlorophenol, sodium salt	18883-66-4	U206	Thallium (I) acetate	Acetic acid, thallium (1+) salt	563-68-8	U214
Streptozotocin	D-Glucose, 2-deoxy-2-[[methylnitrosoamino]carbamoylamino]-strychnidin-10-one	57-24-9	P108 P108 U277	Thallium (I) carbonate	Carbonic acid, dithallium (1+) salt	6533-73-9	U215
Strychnine	Carbamcdithioic acid, diethyl-, 2-chloro-2-propenyl ester	95-06-7		Thallium (I) chloride	Thallium chloride	7791-12-0	U216
Strychnine salts	Dibenzo[b,e][1,4]dioxin, 2,3,7,8-tetrachloro-	1746-01-6		Thallium (I) nitrate	Nitric acid, thallium (1+) salt	10102-45-1	U217
Sulfallate	Thioacetamide	1634-02-2	U402	Thallium selenite	Selenious acid, dithallium (1+) salt	12033-52-0	P114
TCDD	Thiodicarb	97-74-5	U401	Thallium (I) sulfate	Sulfuric acid, dithallium (1+) salt	7446-18-6	P115
Tetrabutylthiuram disulfide	Thioacetamide	95-94-3	U207	Thioacetamide	Ethanethioamide	62-55-5	U218
Tetrabutylthiuram monosulfide	Thiodicarb	25322-20-7		Thiodicarb	Ethanethioamide	5969-26-0	U410
1,2,4,5-Tetra	Bis(dimethylthiocarbamoyl)sulfide	95-94-3		Thiofanox	N,N'-[[thiobis((methyl- imino)carbonyloxy)]-bis- dimethyl ester		
chlorobenzene	Benzene, 1,2,4,5-tetrachloro	95-94-3			2-Butanone, 3,3-dimethyl-1-(methylthio)-, O-[[methylamino]carbonyl]-oxime	39196-18-4	P045
Tetrachlorodibenzo-p-dioxins					Carbamic acid, (1,2-phenylenebis(imino- carbonylthioyl))-bis- dimethyl ester	23564-05-8	U409
Tetrachlorodibenzo-furans					Dimethanethiol	74-93-1	U153
Tetrachloroethane, N.O.S.	Ethane, tetrachloro-, N.O.S.	630-20-6	U208	Thiophenol	Benzenethiol	108-98-5	P014
1,1,1,2-Tetra	Ethane, 1,1,1,2-tetrachloro-	79-34-5	U209	Thiosemicarbazide	Hydrazinecarbohydrazide	79-19-6	P116
1,1,2,2-Tetra	Ethane, 1,1,2,2-tetrachloro-	127-18-4	U210	Thiourea	Same	62-56-6	P219
chloroethane	Ethene, tetrachloro-	58-90-2	See F027	Thiram	Thiooxydicarbonic diamide [[H(2)N(C(S))][2]S(2), tetramethyl-1,3-dithiolane-2-carboxaldehyde, 2,4-dimethyl-2-oxo-[[methylamino]carbonyl]oxime	137-26-8	U244
Tetrachloroethylene	Phenol, 2,3,4,6-tetrachloro-	53535276	None				
2,3,4,6-Tetrachlorophenol, potassium salt	Same	25567559	None	Tirpate		26419-73-8	P185
2,3,4,6-Tetrachlorophenol, sodium salt	Same	3689-24-5	P109				
Tetraethyldithio-pyrophosphate	Thiodiphosphoric acid, tetraethyl ester	78-00-2	P110	Toluene	Benzene, methyl-	108-88-3	U220
Tetraethyl lead	Plumbane, tetraethyl	107-49-3	P111	Toluenediamine	Benzenediamine, ar-methyl-	25376-45-8	U221
Tetraethylpyrophosphate	Diphosphoric acid, tetraethyl ester	508-14-8	P112	Toluene-2,4-diamine	1,3-Benzenediamine, 4-methyl-	95-80-7	
Tetranitromethane	Methane, tetranitro-	7440-28-0		Toluene-2,6-diamine	1,3-Benzenediamine, 2-methyl-	823-40-5	
Thallium	Same						
Thallium compounds							

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Toluene-3,4-diamine	1,2-Benzenediamine, 4-methyl-	496-72-0	
Toluene diisocyanate	Benzene, 1,3-diisocyanatomethyl	26471-62-5	U223
o-Toluidine	Benzenamine, 2-methyl-	95-53-4	U328
o-Toluidine hydrochloride	Benzenamine, 2-methyl-, hydrochloride	636-21-5	U222
p-Toluidine	Benzenamine, 4-methyl-	106-49-0	U353
Toxaphene	Same	8001-35-2	P123
Triallate	Carbamothioic acid, bis-(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester	2303-17-5	U339
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	120-82-1	
1,1,2-Trichloroethane	Ethane, 1,1,2-trichloro-	79-00-5	U227
Trichloroethylene	Ethene, trichloro-	79-01-6	U228
Trichloromethanethiol	Methanethiol, trichloro-	75-70-7	P118
Trichloromonofluoromethane	Methane, trichlorofluoro-	75-69-4	U121
2,4,5-Trichlorophenol	Phenol, 2,4,5-trichloro-	95-95-4	See F027
2,4,6-Trichlorophenol	Phenol, 2,4,6-trichloro-	88-06-2	See F027
2,4,5-T	Acetic acid, (2,4,5-trichlorophenoxy)-	93-76-5	See F027
Trichloropropane, N.O.S.	Propane, 1,2,3-trichloro	25735-29-9	
1,2,3-Trichloropropane	Propane, 1,2,3-trichloro	96-18-4	
Triethylamine	Ethanamine, N,N-diethyl-	121-44-8	
O,O,O-Triethylphosphorothioate	Phosphorothioic acid, O,O,O-triethyl ester	126-68-1	U404
1,3,5-Trinitrobenzene	Benzene, 1,3,5-trinitro-	99-35-4	U234
Tris(1-aziridinyl) phosphine sulfide	Aziridine, 1,1,1"-phosphinothioylidynetris-	52-24-4	
Tris(2,3-dibromopropyl) phosphate	1-Propanol, 2,3-dibromo-, phosphate (3:1)	126-72-7	U235
Trypan blue	2,7-Naphthalenedisulfonic acid, 3,3'-(3,3'-dimethyl [1,1'-biphenyl]-4,4'-diyl)bis(azo))bis[5-amino	72-57-1	U236

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Uracil mustard	-4-hydroxy-, tetrasodium salt	2056-25-9 66-75-1	U237
Vanadium pentoxide	2,4-(1H,3H)-Pyrimidinedione, 5-[bis(2-chloroethyl)amino]-Vanadium oxide V[2]O[5]	1314-62-1	P120
Vernolate	Carbamethioc acid, dipropyl-, S-propyl ester	1929-77-7	U385
Vinyl chloride	Ethene, chloro	75-01-4	U043
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations less than 0.3%	81-81-2	U248
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations greater than 0.3%	81-81-2	P001
Warfarin salts, when present at concentrations less than 0.3%	Warfarin salts, when present at concentrations greater than 0.3%		
Warfarin salts, when present at concentrations greater than 0.3%	Zinc cyanide Zn(CN)[2]	557-21-1	P121
Zinc cyanide	Zinc phosphide P[2]Zn[3], when present at concentrations greater than 10%	1314-84-7	P122
Zinc phosphide	Zinc phosphide P[2]Zn[3], when present at concentrations of 10% or less	1314-84-7	U249
Ziram	Zinc, bis(d-methylcarbamothioate-S,S')-(T-4)-dithioate-S,S')-(T-4)-	137-30-4	P255

Note: The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this Section.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 721.APPENDIX I Wastes Excluded by Administrative Action

Section 721.TABLE B Wastes Excluded by USEPA 8-S--BPA under 40 CFR 260.20 and 260.22 from Specific Sources

Facility Address	Waste Description
Amoco Oil Company Wood River, Illinois	150 million gallons of DAF float from petroleum refining contained in four surge ponds after treatment with the Chemfix stabilization process. This waste contains USEPA 8-S--BPA hazardous waste number K048. This exclusion applies to the 150 million gallons of waste after chemical stabilization as long as the mixing ratios of the reagent with the waste are monitored continuously and do not vary outside of the limits presented in the demonstration samples and one grab sample is taken each hour from each treatment unit, composited, and EP toxicity tests performed on each sample. If the levels of lead or total chromium exceed 0.5 ppm in the EP extract, then the waste that was processed during the compositing period is considered hazardous; the treatment residue shall be pumped into bermed cells to ensure that the waste is identifiable in the event that removal is necessary.

USX Steel Corporation
Chicago, Illinois

Fully-cured chemically stabilized electric arc furnace dust/sludge (CSEAFD) treatment residue USEPA 8-S--BPA hazardous waste number K061) generated from the primary production of steel after April 29, 1991. This exclusion (for 35,000 tons of CSEAFD per year) is conditioned on the data obtained from USX's full-scale CSEAFD treatment facility. To ensure that hazardous constituents are not present in the waste at levels of regulatory concern once the full-scale treatment facility is in operation, USX shall implement a testing program for the petitioned waste. This testing program must meet the following conditions for the exclusion to be valid:

1. Testing: Sample collection and analyses (including quality control (QC) procedures) must be performed according to SW-846 methodologies, incorporated by reference in 35 Ill. Adm. Code 720.111.

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A. Initial Testing: During the first four weeks of operation of the full scale treatment system, USX shall collect representative grab samples of each treated batch of CSEAFD and composite the grab samples daily. The daily composites, prior to disposal, must be analyzed for the EP leachate concentrations of all the EP toxic metals, nickel, and cyanide (using distilled water in the cyanide extractions), and the total concentrations of reactive sulfide and reactive cyanide. USX must report the analytical test data, including quality control information, obtained during this initial period no later than 90 days after the treatment of the first full-scale batch.

B. Subsequent Testing: USX shall collect representative grab samples from every treated batch of CSEAFD generated daily and composite all of the grab samples to produce a weekly composite sample. USX then shall analyze each weekly composite sample for all of the EP toxic metals and nickel. The analytical data, including quality control information, must be compiled and maintained on site for a minimum of three years. These data must be furnished upon request and made available for inspection by any employee or representative of USEPA 8-S--BPA or the Agency.

2.

Delisting levels: If the EP extract concentrations for chromium, lead, arsenic, or silver exceed 0.315 mg/l; barium exceeds 6.3 mg/l; cadmium or selenium exceed 0.063 mg/l; mercury exceeds 0.0126 mg/l; nickel exceeds 3.15 mg/l; or cyanide exceeds 4.42 mg/l or total reactive cyanide or total reactive sulfide levels exceed 250 mg/kg and 500 mg/kg, respectively, the waste must either be retreated until it meets these levels or managed and disposed of in accordance with Subpart C of Resource Conservation and Recover Act (42 U.S.C. 6901 et seq.).

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3. Data submittal to and enforcement by USEPA 8-S-BPA: Within one week of system start-up USX must notify the Section Chief, Delisting Section (see address below) when their full-scale stabilization system is on-line and waste treatment has begun. The data obtained through condition (1)(A) shall be submitted to the Section Chief, Delisting Section CAD/OSW (OS-333), USEPA 8-S---BPA, 401 M Street, S.W., Washington, DC 20460 within the time period specified. At USEPA's 8-S-BPA's request, USX must submit any other analytical data obtained through conditions (1)(A) or (1)(B) within the time period specified by the Section Chief. Failure to submit the required data obtained from conditions (1)(A) or (1)(B) within the specified time period or maintain the required records for the specified time will be considered by USEPA 8-S---BPA, at its decision, sufficient basis to revoke USX's Federal exclusion to the extent directed by USEPA 8-S---BPA. All data must be accompanied by the following certification statement:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of the Federal Code which include, but may not be limited to, 18 U.S.C. Section 6928), I certify that the information contained in or accompanying this document is true, accurate and complete.

As to the (those) identified section(s) of this document for which I cannot personally verify its (their) trust and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete.

In the event that any of this information is determined by USEPA 8-S---BPA in its sole discretion to be false, inaccurate or incomplete, and upon conveyance of this fact to the company, I recognize and agree that

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this federal exclusion of wastes will be void as if it never had effect or to the extent directed by USEPA 8-S---BPA and that the company will be liable for any actions taken in contravention of the company's RCRA and CERCLA obligations premised upon the company's reliance on the void exclusion."

4. Data Submittal to Agency: The data obtained through conditions (1)(A) must be submitted to the Illinois Environmental Protection Agency, Planning and Reporting Section, 2200 Churchill Road, P.O. Box 19276, Springfield, IL 62794-9276 within the time period specified. At Agency's request, USX must submit any other analytical data obtained through conditions (1)(A) or (1)(B) within the time period specified by the Agency. All data must be accompanied by the following certification statement:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations (pursuant to the applicable provisions of Illinois' Environmental Protection Act), I certify that the information contained in or accompanying this document is true, accurate and complete.

As to the (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate and complete."

5. Enforcement by the Agency: Whenever the Agency finds that USX has violated the standards in this exclusion, has failed to submit the required data obtained from conditions (1)(A) or (1)(B) within the specified time period, has failed to maintain the required records for the specified time or has submitted false, inaccurate or incomplete data, the Agency may take such action as is allowed by Title VIII of the Act.

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6. Notification to the Board: Upon modification, termination, revocation, or other alteration of this exemption by USEPA H-S-~~BPA~~, USX shall file a petition, pursuant to Part 102, with this Board requesting that the Board follow the USEPA H-S-BPA action.

Conversion System, Inc.
Horsham, Pennsylvania
Sterling, Illinois
operations

Chemically stabilized electric arc furnace dust (CSEAFD) that is generated by Conversion Systems, Inc. (CSI) (using the Super Detox(TM) treatment process, as modified by CSI to treat electric arc furnace dust (EAFD) (USEPA hazardous waste no. K061)), at the following site and which is disposed of in a RCRA Subtitle D municipal solid waste landfill (MSWLF): Northwestern Steel, Sterling, Illinois.

CSI must implement a testing program for each site that meets the following conditions:

1. Verification testing requirements: Sample collection and analyses, including quality control procedures, must be performed according to SW-846 methodologies, incorporated by reference in 35 Ill. Adm. Code 720.111.

A. Initial verification testing: During the first 20 days of full-scale operation of a newly-constructed Super Detox(TM) treatment facility, CSI shall analyze a minimum of four composite samples of CSEAFD representative of the full 20-day period. Composite samples must be composed of representative samples collected from every batch generated. The CSEAFD samples must be analyzed for the constituents listed in condition 3 below. CSI shall report the operational and analytical test data, including quality control information, obtained during this initial period no later than 60 days after the generation of the first batch of CSEAFD.

B. Addition of new Super Detox(TM) treatment facilities to the exclusion:

Option 1: If USEPA approves additional facilities, CSI may petition the Board for identical-in-substance amendment of this exclusion pursuant to Section 22.4

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for the Act and 35 Ill. Adm. Code 102 and 720.120(a); or

Option 2: If USEPA has not approved such amendment, CSI may petition the Board for amendment pursuant to the general rulemaking procedures of Section 27 of the Act and 35 Ill. Adm. Code 102 and 720.120(b); or

Option 3: Alternatively to options 1 or 2 above, CSI may petition the Board for a hazardous waste delisting pursuant to Section 28.1 of the Act and 35 Ill. Adm. Code 106 and 720.122.

If CSI pursues general rulemaking (option 2 above) or hazardous waste delisting (option 3 above), it must demonstrate that the CSEAFD generated by a specific Super Detox(TM) treatment facility consistently meets the delisting levels specified in condition 3 below.

C. Subsequent verification testing: For the approved facility, CSI shall collect and analyze at least one composite sample of CSEAFD each month. The composite samples must be composed of representative samples collected from all batches treated in each month. These monthly representative samples must be analyzed, prior to the disposal of the CSEAFD, for the constituents listed in condition 3 below. CSI may, at its discretion, analyze composite samples gathered more frequently to demonstrate that smaller batches of waste are nonhazardous.

2. Waste holding and handling: CSI shall store as hazardous all CSEAFD generated until verification testing, as specified in condition 1A or 1C above, as appropriate, is completed and valid analyses demonstrate that condition 3 below is satisfied. If the levels of constituents measured in the samples of CSEAFD do not exceed the levels set forth in condition 3, then the CSEAFD is nonhazardous and may be disposed of in a RCRA Subtitle D municipal solid waste landfill.

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Agency within the time period specified. Records of operating conditions and analytical data from condition 1 must be compiled, summarized and maintained on site for a minimum of five years. These records and data must be furnished to the Agency upon request and made available for inspection. Failure to submit the required data within the specified time period or to maintain the required records on site for the specified time will be considered a violation of the Act and Board regulations. All data submitted must be accompanied by a signed copy of the following certification statement to attest to the truth and accuracy of the data submitted:

"Under civil and criminal penalty of law for the making or submission of false or fraudulent statements or representations, I certify that the information contained in or accompanying this document is true, accurate, and complete.

As to (those) identified section(s) of this document for which I cannot personally verify its (their) truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

In the event that any of this information is determined by the Board or a court of law to be false, inaccurate, or incomplete, and upon conveyance of this fact to the company, I recognize and agree that this exclusion of waste will be void as if it never had effect or to the extent directed by the Board or court and that the company will be liable for any actions taken in contravention of the company's obligations under the federal RCRA and Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. Sections 9601 et seq.) and corresponding provisions of the Act premised upon the company's reliance on

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If constituent levels in a sample exceed any of the delisting levels set forth in condition 3 below, the CSEAFD generated during the time period corresponding to this sample must be retreated until it meets these levels or managed and disposed of as hazardous waste, in accordance with 35 Ill. Adm. Code 702 through 705, 720 through 726, 728 and 733. CSEAFD generated by a new CSI treatment facility must be managed as a hazardous waste prior to the addition of the name and location of the facility to this exclusion pursuant to condition 1C above. After addition of the new facility to the exclusion pursuant to condition 1B above, CSEAFD generated during the verification testing in condition 1A is also non-hazardous if the delisting levels in condition 3 are satisfied.

Delisting levels: All leachable concentrations for the following metals must not exceed the following levels (in parts per million (ppm)): antimony--0.06; arsenic--0.50; barium--7.6; beryllium--0.010; cadmium--0.050; chromium--0.33; lead--0.15; mercury--0.009; nickel--1; selenium--0.16; silver--0.10; thallium--0.020; vanadium--2; and zinc--70. Metal concentrations must be measured in the waste leachate by the method specified in Section 721.124.

4. Changes in operating conditions: After initiating subsequent testing, as described in condition 1C, if CSI significantly changes the stabilization process established under condition 1 (e.g., use of new stabilization reagents), CSI shall seek amendment of this exclusion using one of the options set forth in condition 1B above. After written amendment of this exclusion, CSI may manage CSEAFD wastes generated from the new process as nonhazardous if the wastes meet the delisting levels set forth in condition 3 above.

5. Data submittals: At least one month prior to operation of a new Super Detox(TM) treatment facility, CSI must notify the Agency in writing when the Super Detox(TM) treatment facility is scheduled to be on-line. The data obtained through conditions 1A must be submitted to the

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the void exclusion."

BOARD NOTE: The obligations of this exclusion are derived from but also distinct from the obligations under the corresponding federally-granted exclusion of 40 CFR 261, Appendix IX, Table 2.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 721.APPENDIX 2 Table to Section 721.102

	Table			
	*1	*2	*3	*4
Spent materials (both listed and nonlisted) characteristics	Yes	Yes	Yes	Yes
Sludges (listed in Section 721.131 or 721.132)	Yes	Yes	Yes	Yes
Sludges exhibiting (nonlisted) characteristics of hazardous waste characteristics	Yes	Yes	No	Yes
By-products (listed in Section 721.131 or 721.132)	Yes	Yes	Yes	Yes
By-products exhibiting (nonlisted) characteristics of hazardous waste characteristics	Yes	Yes	No	Yes
Commercial chemical products listed in Section 721.133 that are not ordinarily applied to the land or burned as fuels	Yes	Yes	No	No
Scrap metal	Yes	Yes	Yes	Yes
Yes - Defined as a solid waste				
No - Not defined as a solid waste				
*1 - Use constituting disposal (Section 721.102(c)(1))				(Section
*2 - Burning for energy recovery or use to produce a fuel				
721.102(c)(2))				
*3 - Reclamation (Section 721.102(c)(3))				
*4 - Speculative accumulation (Section 721.102(c)(4))				

BOARD NOTE: Derived from Table 1 to 40 CFR 261.2(c)(4) (1994).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the

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1) Heading of the Part: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

2) Code Citation: 35 Ill. Adm. Code 725

3) Section Numbers: Proposed Action:

725.101 Amended

725.980 Amended

725.982 Amended

725.990 Amended

4) Statutory Authority: 415 ILCS 5/22.4 and 27

5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act (415 ILCS 5/22.4(a)) provides that Section 5 of the Illinois Administrative Procedure Act (5 ILCS 100/5) shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the

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rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 725 are based on the federal actions of May 11, September 29, and November 13, 1995. The amendments of May 11, 1995 incorporate provisions dictating the interplay of applicability of the universal waste rules and the generally-applicable hazardous waste management standards. Those of September 29 and November 13, 1995 stay the deadline for compliance with the Subpart CC organic material emissions regulations applicable to tanks, containers, and surface impoundments. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? Yes. Although the existing text of Part 725 includes several incorporations by reference, no amendments to those references were necessary. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments to Section 720.111 incorporate the updated testing methods of SW-846 for use with Part 725.

- 9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk

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Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC

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Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. Those aspects of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. Those aspects relating to the stays of the Subpart CC organic material emission regulations could be considered as having either a positive effect or no effect, since the stays further delay the applicability of those rules.

C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. Those aspects of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. Those aspects relating to the stays of the Subpart CC organic material emission regulations could be considered as having either a positive effect or no effect, since the stays further delay the applicability of those rules.

D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 725

INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

Section
725.101
725.104

Purpose, Scope and Applicability
Imminent Hazard Action

SUBPART B: GENERAL FACILITY STANDARDS

Section
725.110
725.111
725.112
725.113
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General Waste Analysis
Security
General Inspection Requirements
Personnel Training
General Requirements for Ignitable, Reactive, or Incompatible Wastes
Location Standards
Construction Quality Assurance Program

SUBPART C: PREPAREDNESS AND PREVENTION

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725.130
725.131
725.132
725.133
725.134
725.135
725.137

Applicability
Maintenance and Operation of Facility
Required Equipment
Testing and Maintenance of Equipment
Access to Communications or Alarm System
Required Aisle Space
Arrangements with Local Authorities

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section
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725.151
725.152
725.153

Applicability
Purpose and Implementation of Contingency Plan
Content of Contingency Plan
Copies of Contingency Plan

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725.154 Amendment of Contingency Plan
725.155 Emergency Coordinator
725.156 Emergency Procedures

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Section
725.170 Applicability
725.171 Use of Manifest System
725.172 Manifest Discrepancies
725.173 Operating Record
725.174 Availability, Retention and Disposition of Records
725.175 Annual Report
725.176 Unmanifested Waste Report
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SUBPART F: GROUNDWATER MONITORING

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725.191 Groundwater Monitoring System
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SUBPART G: CLOSURE AND POST-CLOSURE

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725.212 Closure Plan; Amendment of Plan
725.213 Closure; Time Allowed for Closure
725.214 Disposal or Decontamination of Equipment, Structures and Soils
725.215 Certification of Closure
725.216 Survey Plat
725.217 Post-closure Care and Use of Property
725.218 Post-closure Plan; Amendment of Plan
725.219 Post-Closure Notices
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SUBPART H: FINANCIAL REQUIREMENTS

Section
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725.241 Definitions of Terms as Used in this Subpart
725.242 Cost Estimate for Closure
725.243 Financial Assurance for Closure
725.244 Cost Estimate for Post-closure Care

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725.245 Financial Assurance for Post-Closure Monitoring and Maintenance
725.246 Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care
725.247 Liability Requirements
725.248 Incapacity of Owners or Operators, Guarantors or Financial Institutions
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SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section
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725.271 Condition of Containers
725.272 Compatibility of Waste with Container
725.273 Management of Containers
725.274 Inspections
725.276 Special Requirements for Ignitable or Reactive Waste
725.277 Special Requirements for Incompatible Wastes
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SUBPART J: TANK SYSTEMS

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725.291 Assessment of Existing Tank System's Integrity
725.292 Design and Installation of New Tank Systems or Components
725.293 Containment and Detection of Releases
725.294 General Operating Requirements
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725.296 Response to leaks or spills and disposition of Tank Systems
725.297 Closure and Post-Closure Care
725.298 Special Requirements for Ignitable or Reactive Waste
725.299 Special Requirements for Incompatible Wastes
725.300 Waste Analysis and Trial Tests
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725.329 Special Requirements for Ignitable or Reactive Waste
 725.330 Special Requirements for Incompatible Wastes
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 725.350 Applicability
 725.351 Protection from Wind
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 725.441 Waste Analysis
 725.445 General Operating Requirements
 725.447 Monitoring and Inspection
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SUBPART P: THERMAL TREATMENT

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 725.481 Closure
 725.482 Open Burning; Waste Explosives
 725.483 Interim Status Thermal Treatment Devices Burning Particular Hazardous Waste

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 725.500 Applicability
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 725.502 Waste Analysis and Trial Tests
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SUBPART R: UNDERGROUND INJECTION

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 725.540 Assessment of existing drip pad integrity
 725.541 Design and installation of new drip pads
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 725.545 Closure

SUBPART W: DRIP PADS

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SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

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725.958 Standards: Pumps, Valves, Pressure Relief Devices, Flanges and Other Connectors
725.959 Standards: Delay of Repair
725.960 Standards: Closed-vent Systems and Control Devices
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725.984 Waste Determination Procedures
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725.988 Standards: Closed-vent Systems and Control Devices
725.989 Inspection and Monitoring Requirements
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APPENDIX E Examples of Potentially Incompatible Waste

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17548, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9566, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

SUBPART A: GENERAL PROVISIONS

Section 725.101 Purpose, Scope and Applicability

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- a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.
- b) Except as provided in Section 725.980(b), the standards in this Part and 35 Ill. Adm. Code 724.652 and 724.653 apply to owners and operators of facilities that treat, store, or dispose of hazardous waste that have fully complied with the requirements for interim status under Section 3005(e) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) and 35 Ill. Adm. Code 703, until either a permit is issued under Section 3005 of the Resource Conservation and Recovery Act or Section 21(f) of the Environmental Protection Act, or until applicable closure and post-closure responsibilities under this Part are fulfilled, and to those owners and operators of facilities in existence on November 19, 1980, that have failed to provide timely notification as required by Section 3010(a) of RCRA or that have failed to file Part A of the Permit Application, as required by 40 CFR 270.10(e) and (g) or 35 Ill. Adm. Code 703.150 and 703.152. These standards apply to all treatment, storage, or disposal of hazardous waste at these facilities after November 19, 1980, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.7.

BOARD NOTE: As stated in Section 3005(a) of RCRA, after the effective date of regulations under that Section (i.e., 40 CFR 270 and 124) the treatment, storage, or disposal of hazardous waste is prohibited except in accordance with a permit. Section 3005(e) of RCRA provides for the continued operation of an existing facility that meets certain conditions until final administrative disposition of the owner's and operator's permit application is made. 35 Ill. Adm. Code 703.140 et seq. provide that a permit is deemed issued under Section 21(f)(1) of the Environmental Protection Act under conditions similar to federal interim status.

c) The requirements of this Part do not apply to:

- 1) A person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434; 33 U.S.C. 1401);
- BOARD NOTE: This Part applies to the treatment or storage of hazardous waste before it is loaded into an ocean vessel for incineration or disposal at sea, as provided in subsection (b).
- 3) The owner or operator of a POTW (publicly owned treatment works) that treats, stores or disposes of hazardous waste;
- BOARD NOTE: The owner or operator of a facility under subsections (c)(1) through (c)(3) is subject to the requirements of 35 Ill. Adm. Code 724 to the extent they are included in a permit by rule granted to such a person under 35 Ill. Adm. Code 702 and 703 or are required by 35 Ill. Adm. Code 704.Subpart F.
- 5) The owner or operator of a facility permitted, licensed, or

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- registered by Illinois to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105;
- 6) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4), except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739;
 - 7) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134, except to the extent the requirements are included in 35 Ill. Adm. Code 722.134;
 - 8) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170;
 - 9) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110;
 - 10) The owner or operator of an elementary neutralization unit or a waste water treatment unit as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.TableT or reactive (D003) waste in order to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 725.117(b);
- 11) Immediate response:
 - A) Except as provided in subsection (c)(11)(B) below, a person engaged in treatment or containment activities during immediate response to any of the following situations:
 - i) A discharge of a hazardous waste;
 - ii) An imminent and substantial threat of a discharge of a hazardous waste;
 - iii) A discharge of a material that becomes a hazardous waste when discharged.
 - B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 725.Subparts C and D.
 - C) Any person that is covered by subsection (c)(11)(A) above that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities.
 - 12) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less;
 - 13) The addition of absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) or the addition of waste to the absorbent material in a container, provided that these actions occur at the time that the waste is first placed in the

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containers and Sections 725.117(b), 725.271, and 725.272 are complied with:-

- 14) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:

- A) Batteries, as described in 35 Ill. Adm. Code 733.102;
 B) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
 C) Thermostats, as described in 35 Ill. Adm. Code 733.104.

- d) The following hazardous wastes must not be managed at facilities subject to regulation under this Part: hazardous waste numbers F020, F021, F022, F023, F026, or F027 unless:

- 1) The waste water treatment sludge is generated in a surface impoundment as part of the plant's waste water treatment system;
 - 2) The waste is stored in tanks or containers;
 - 3) The waste is stored or treated in waste piles that meet the requirements of 35 Ill. Adm. Code 724.350(c) and all other applicable requirements of 725.Subpart L;
 - 4) The waste is burned in incinerators that are certified pursuant to the standards and procedures in Section 725.452; or
 - 5) The waste is burned in facilities that thermally treat the waste in a device other than an incinerator and that are certified pursuant to the standards and procedures in Section 725.483.
- e) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728, and the 35 Ill. Adm. Code 728 standards are considered material conditions or requirements of the interim status standards of this Part.
- f) Other bodies of regulations may apply a person, facility, or activity, such as 35 Ill. Adm. Code 809 (special waste hauling), 35 Ill. Adm. Code 807 or 810 through 817 (solid waste landfills), 35 Ill. Adm. Code 848 or 849 (used and scrap tires), or 35 Ill. Adm. Code 1420 through 1422 (potentially infectious medical waste), depending on the provisions of those other regulations.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS,
 SURFACE IMPOUNDMENTS, AND CONTAINERS

Section 725.980 Applicability

- a) The requirements of this Subpart apply, effective June 6, 1996 ~~December--67--1995~~, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers subject to either Subpart 725.Subparts I, J, or K of this Part, except as Section 725.101 and subsection (b)

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below provide otherwise.

BOARD NOTE: USEPA 8-S--EPA adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995) and 60 Fed. Reg. 56952 (Nov. 13, 1995), USEPA 8-S--EPA delayed the effective date until June 6, 1996 ~~December--67--1995~~. If action by USEPA 8-S--EPA or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that this Subpart CC ~~the 725-Subpart-CC-rules~~ be enforceable to the extent that they become more stringent than the federal regulations upon which they are based.

- b) The requirements of this Subpart do not apply to the following waste management units at the facility:

- 1) A waste management unit that holds hazardous waste placed in the unit before June 6, 1996 ~~December--67--1995~~ and in which no hazardous waste is added to the unit on or after this date.
 - 2) A container that has a design capacity less than or equal to 0.1 m(3) (3.5 ft(3) or 26.4 gal).
 - 3) A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - 4) A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - 5) A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA sections 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or state authorities.
 - 6) A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.
- c) For the owner and operator of a facility subject to this Subpart who has received a final RCRA permit prior to June 6, 1996 ~~December--67--1995~~, the following requirements apply:
- 1) The requirements of 35 Ill. Adm. Code 724.Subpart CC must be incorporated into the permit when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705.
 - 2) Until the date when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705, the owner and operator is subject to the requirements of this Subpart.
 - d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 725.990(i) are stayed for a tank or container used for the management of hazardous waste generated by

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organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions.

1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

2) The owner or operator prepares documentation, in accordance with Section 725.990(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 725.985 through 725.988 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above.

3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) above. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 725.982 Schedule for Implementation of Air Emission Standards

a) Owners or operators of facilities existing on June 6, 1996 ~~December-6-1995~~ and subject to 725- Subparts I, J, and K of this Part shall meet the following requirements:

1) The owner or operator shall install and begin operation of all control equipment required by this Subpart by June 6, 1996 ~~December-6-1995~~, except as provided in subsection (a)(2) below.

2) When control equipment required by this Subpart cannot be installed and in operation by June 6, 1996 ~~December-6-1995~~, the owner or operator shall:

A) Install and begin operation of the control equipment as soon as possible, but in no case later than December 8, 1997.

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B) Prepare an implementation schedule that includes the following information: specific calendar dates for award of contracts or issuance of purchase orders for the control equipment, initiation of on-site installation of the control equipment, completion of the control equipment installation, and performance of any testing to demonstrate that the installed equipment meets the applicable standards of this Subpart.

C) For facilities subject to the recordkeeping requirements of Section 725.173, the owner or operator shall enter the implementation schedule specified in subsection (a)(2)(B) above in the operating record no later than June 6, 1996 ~~December-6-1995~~.

D) For facilities not subject to Section 725.173 above, the owner or operator shall enter the implementation schedule specified in subsection (a)(2)(B) of this section in a permanent, readily available file located at the facility no later than June 6, 1996 ~~December-6-1995~~.

b) An owner or operator of facilities in existence on the effective date of statutory or regulatory amendments under the Act that render the facility subject to Subpart 725-Subparts I, J, or K of this Part shall meet the following requirements:

1) The owner or operator shall install and begin operation of all control equipment required by this Subpart by the effective date of the amendment, except as provided in subsection (b)(2) below.

2) When control equipment required by this Subpart cannot be installed and begin operation by the effective date of the amendment, the owner or operator shall:

A) Install and operate the control equipment as soon as possible, but in no case later than 30 months after the effective date of the amendment.

B) Implementation Schedule.

i) For facilities subject to the recordkeeping requirements of Section 725.173, enter and maintain the implementation schedule specified in subsection (a)(2)(B) above in the operating record no later than the effective date of the amendment, or

ii) For facilities not subject to Section 725.173, the owner or operator shall enter and maintain the implementation schedule specified in subsection (a)(2)(B) above in a permanent, readily available file, located at the facility site, no later than the effective date of the amendment.

c) The Agency may elect to extend the implementation date for control equipment at a facility, on a case by case basis, to a date later than December 8, 1997:

1) When special circumstances that are beyond the facility owner's or operator's control delay installation or operation of control

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equipment, and

- 2) The owner or operator has made all reasonable and prudent attempts to comply with the requirements of this Subpart.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 725.990 Recordkeeping Requirements

- a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the following information as applicable:

1) Documentation for each cover installed on a tank in accordance with the requirements of Section 725.985(b)(2) or (b)(3) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in Section 725.991(c).

2) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of Section 725.986(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in Section 725.986(e).

3) Documentation for each enclosure used to control air emissions from containers in accordance with the requirements of Section 725.987(b)(2)(A) that includes information prepared by the owner or operator or provided by the manufacturer or vendor describing the enclosure design, and certification by the owner or operator that the enclosure meets the specifications listed in Section 725.987(b)(2)(B).

4) Documentation for each closed-vent system and control device installed in accordance with the requirements of Section 725.988 that includes:

A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis, as specified in subsection (a)(4)(B) below, or by performance tests, as specified in subsection (a)(4)(C) below, when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.

B) If a design analysis is used, then design documentation as specified in Section 725.935(b)(4). The documentation must include information prepared by the owner or operator or provided by the control device manufacturer or vendor that

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describes the control device design in accordance with Section 725.935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.

- C) If performance tests are used, then a performance test plan as specified in Section 725.935(b)(3) and all test results.
D) Information as required by Sections 725.935(c)(1) and 725.935(c)(2).

5) Records for all Method 27 tests performed by the owner or operator for each container used to meet the requirements of Section 725.987(b)(1)(C).

6) Records for all visual inspections conducted in accordance with the requirements of Section 725.989.

7) Records for all monitoring for detectable organic emissions conducted in accordance with the requirements of Section 725.989.

8) Records of the date of each attempt to repair a leak, repair methods applied, and the date of successful repair.

9) Records for all continuous monitoring conducted in accordance with the requirements of Section 725.989.

10) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 725.988(c)(3)(B).

11) Records for all inspections of each cover installed on a tank in accordance with the requirements of Section 725.985(b)(2) or (b)(3) that includes information as listed in Section 725.991(c).

- b) An owner or operator electing to use air emission controls for a tank in accordance with the conditions specified in Section 725.985(c) shall record the following information:

1) The date and time each waste sample is collected for direct measurement of maximum organic vapor pressure in accordance with Section 725.984(c).

2) The results of each determination for the maximum organic vapor pressure of the waste in the tank performed in accordance with Section 725.984(c).

3) The records specifying the tank dimensions and design capacity.

c) An owner or operator electing to use air emission controls for a tank in accordance with the requirements of Section 725.991 shall record the information required by Section 725.991(c).

d) An owner or operator electing not to use air emission controls for a particular tank, surface impoundment, or container subject to this Subpart in accordance with the conditions specified in Section 725.983(c) shall record the information used by the owner or operator for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of Section 725.984.

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e) An owner or operator electing to comply with requirements in accordance with Section 725.983(c)(2)(E) or (c)(2)(F) shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.

f) An owner or operator designating a cover as unsafe to inspect and monitor pursuant to Section 725.989(f)(5) or difficult to inspect and monitor pursuant to Section 725.989(f)(6) shall record in a log that is kept in the facility operating record the following information:

1) A list of identification numbers for tanks with covers that are designated as unsafe to inspect and monitor in accordance with the requirements of Section 725.989(f)(5), an explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

2) A list of identification numbers for tanks with covers that are designated as difficult to inspect and monitor in accordance with the requirements of Section 725.989(f)(6), an explanation for each cover stating why the cover is difficult to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

g) All records required by subsections (a) through (f) above, except as required in subsections (a)(1) through (a)(4) above, must be maintained in the operating record for a minimum of 3 years. All records required by subsections (a)(1) through (a)(4) above must be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service.

h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV, or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 270.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.

i) For each tank or container not using air emission controls specified in Sections 725.985 through 725.988 in accordance with the conditions specified in Section 725.980(d), the owner or operator shall record and maintain the following information:

1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 725.980(d)(1).

2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:

A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the tank,

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the purpose and placement of this tank in the management train of this hazardous waste, and the procedure used to ultimately dispose of the hazardous waste managed in the tanks.

B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the container or group of containers, the purpose and placement of this container or group of containers in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the containers.

3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) above in the tanks or containers identified pursuant to subsection (i)(2) above would create an undue safety hazard if the air emission controls specified in Sections 725.985 through 725.988 were installed and operated on these waste management units. This explanation must include the following information:

A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under Section 725.985(g), would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under Section 725.987(g), would not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Land Disposal Restrictions2) Code Citation: 35 Ill. Adm. Code 7283) Section Numbers: Proposed Action:

728.101 Amended
 728. Table T Amended
 728. Table U Amended

4) Statutory Authority: 415 ILCS 5/22.4 and 275) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent

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federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize describe the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in City of Chicago v. Environmental Defense Fund, Inc., 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the

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Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/DIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC

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rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 728 are based on the universal waste rule of May 11, 1995. The amendments to Section 728.101 state that the land disposal restrictions of Part 728 do not apply to certain universal waste handlers. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations. The amendments to Sections 728. Table T and 728. Table U are exclusively based on corrections suggested by JCAR and indicated by examination by the Board.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No. Although the existing text of Part 728 includes incorporations by reference, the present amendments do not affect those incorporations.

9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

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Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620.

12) Initial regulatory flexibility analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996
- B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. That aspect of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. The corrections should have no effect.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. That aspect of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. The corrections should have no effect.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 728

LAND DISPOSAL RESTRICTIONS

SUBPART A: GENERAL

Section

728.101 Purpose, Scope and Applicability

728.102 Definitions

728.103 Dilution Prohibited as a Substitute for Treatment

728.104 Treatment Surface Impoundment Exemption

728.105 Procedures for case-by-case Extensions to an Effective Date

728.106 Petitions to Allow Land Disposal of a Waste Prohibited under Subpart C

728.107 Waste Analysis and Recordkeeping

728.108 Landfill and Surface Impoundment Disposal Restrictions (Repealed)

728.109 Special Rules for Characteristic Wastes

SUBPART B: SCHEDULED FOR LAND DISPOSAL PROHIBITION AND ESTABLISHMENT OF TREATMENT STANDARDS

Section

728.110 First Third

728.111 Second Third

728.112 Third Third

728.113 Newly Listed Wastes

728.114 Surface Impoundment exemptions

SUBPART C: PROHIBITION ON LAND DISPOSAL

Section

728.130 Waste Specific Prohibitions -- Solvent Wastes

728.131 Waste Specific Prohibitions -- Dioxin-Containing Wastes

728.132 Waste Specific Prohibitions -- California List Wastes

728.133 Waste Specific Prohibitions: First Third Wastes

728.134 Waste Specific Prohibitions -- Second Third Wastes

728.135 Waste Specific Prohibitions -- Third Third Wastes

728.136 Waste Specific Prohibitions -- Newly Listed Wastes

728.137 Waste Specific Prohibitions -- Ignitable and Corrosive Characteristic Wastes Whose Treatment Standards Were Vacated

728.138 Waste-Specific Prohibitions: Newly-Identified Organic Toxicity Characteristic Wastes and Newly-Listed Coke By-Product and Chlorotoluene Production Wastes

728.139 Statutory Prohibitions

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SUBPART D: TREATMENT STANDARDS

Section 728.140	Applicability of Treatment Standards
728.141	Treatment Standards Expressed as Concentrations in Waste Extract
728.142	Treatment Standards Expressed as Specified Technologies
728.143	Treatment Standards Expressed as Waste Concentrations
728.144	Adjustment of Treatment Standard
728.145	Treatment Standards for Hazardous Debris
728.146	Alternative Treatment Standards Based on HTWR
728.148	Universal Treatment Standards

SUBPART E: PROHIBITIONS ON STORAGE

Section 728.150	Prohibitions on Storage of Restricted Wastes
APPENDIX A	Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX B	Treatment Standards (As concentrations in the Treatment Residual Extract)
APPENDIX C	List of Halogenated Organic Compounds
APPENDIX D	Wastes Excluded from Lab Packs
APPENDIX E	Organic Lab Packs (Repealed)
APPENDIX F	Technologies to Achieve Deactivation of Characteristics
APPENDIX G	Federal Effective Dates
APPENDIX H	National Capacity LDR Variances for UIC Wastes
APPENDIX I	EP Toxicity Test Method and Structural Integrity Test
APPENDIX J	Recordkeeping, Notification, and Certification Requirements

TABLE A	Constituent Concentrations in Waste Extract (CCWE)
TABLE B	Constituent Concentrations in Wastes (CCW)
TABLE C	Technology Codes and Description of Technology-Based Standards
TABLE D	Technology-Based Standards by RCRA Waste Code
TABLE E	Standards for Radioactive Mixed Waste
TABLE F	Alternative Treatment Standards for Hazardous Debris
TABLE G	Alternative Treatment Standards Based on HWTR
TABLE H	Wastes Excluded from CCW Treatment Standards
TABLE T	Treatment Standards for Hazardous Wastes
TABLE U	Universal Treatment Standards (UTS)

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5.22.4 and 27].

SOURCE: Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16509,

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effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; amended in R90-11 at 15 Ill. Reg. 11937, effective August 12, 1991; amendment withdrawn at 15 Ill. Reg. 14716, October 11, 1991; amended in R91-13 at 16 Ill. Reg. 9619, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20692, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6799, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12203, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17563, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9660, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 728.101 Purpose, Scope and Applicability

- This Part identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed.
- Except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721, the requirements of this Part apply to persons that generate or transport hazardous waste treatment, storage, and disposal facilities.
- Restricted wastes may continue to be land disposed as follows:

- Where persons have been granted an extension to the effective date of a prohibition under Subpart C or pursuant to Section 728.105, with respect to those wastes covered by the extension;
- Where persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;
- Wastes that are hazardous only because they exhibit a hazardous characteristic and that are otherwise prohibited from land disposal under this Part are not prohibited from land disposal if the wastes:

- Are disposed into a nonhazardous or hazardous waste injection well, as defined in 35 Ill. Adm. Code 704.106(a);
- Do not exhibit any prohibited characteristic of hazardous waste at the point of injection; and
- If, at the point of generation, the injected wastes include D001 High TOC subcategory wastes of D012-D017 pesticide wastes that are prohibited under Section 728.117(c), those wastes have been treated to meet the treatment standards of Section 728.140 prior to injection.

- This Part does not affect the availability of a waiver under Section 121(d)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. Sections 9601 et seq.).
- The following hazardous wastes are not subject to any provision of this Part:

- Wastes generated by small quantity generators of less than 100 kg

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of non-acute hazardous waste or less than 1 kg of acute hazardous waste per month, as defined in 35 Ill. Adm. Code 721.105;

2) Waste pesticides that a farmer disposes of pursuant to 35 Ill. Adm. Code 722.170;

3) Wastes identified or listed as hazardous after November 8, 1984, for which USEPA 4-S7--BPA has not promulgated land disposal prohibitions or treatment standards;

4) De minimis losses to wastewater treatment systems of commercial chemical product or chemical intermediates that are ignitable (D001) or corrosive (D002) or that are organic constituents that exhibit the characteristic of toxicity (D012-D043) and that contain underlying hazardous constituents, as defined in Section 728.102 of this Part, are not considered to be prohibited wastes. "De minimis" is defined as losses from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers or leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purging; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; and rinseate from empty containers or from containers that are rendered empty by that rinsing;

5) Land disposal prohibitions for hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability (D001), corrosivity (D002), or organic toxicity (D012 through D043) that are mixed with other plant wastewaters at facilities whose ultimate discharge is subject to regulations under the CWA (including wastewaters at facilities that have eliminated the discharge of wastewater), provided that the annulized flow of laboratory wastewater into the facility's headwork does not exceed one percent or that the laboratory wastes' combined annulized average concentration does not exceed one part per million in the facility's headworks.

f) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) is exempt from Sections 728.107 and 728.150 for the hazardous wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.

- 1) Batteries, as described in 35 Ill. Adm. Code 733.102;
- 2) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- 3) Thermostats, as described in 35 Ill. Adm. Code 733.104.

g) This part is cumulative with the land disposal restrictions of 35 Ill. Adm. Code 729. The Environmental Protection Agency (Agency) shall not issue a wastewater authorization pursuant to 35 Ill. Adm. Code 709 or Sections 22.6 or 39(h) of the Environmental Protection Act [415 ILCS 5/22.6 or 39(h) 39-6] unless the waste meets the requirements of this Part as well as 35 Ill. Adm. Code 729.

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(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 728.TABLE T Treatment Standards for Hazardous Wastes

Note: The treatment standards that heretofore appeared in tables in Sections 728.141, 728.142, and 728.143 have been consolidated into this table.

Regulated Hazardous Constituent	Wastewaters	Nonwastewaters
Common Name	CAS(2) Number	Concentration
		mg/l(3); or
		Technology
	Code(4)	"mg/l TCLP":
		or Technology
		Code(4)
D001		
Ignitable Characteristic Wastes, except for the Section 721.121(a)(1) High TOC Subcategory, that are managed in non-CWA or non-CWA-equivalent or non-Class I SDWA systems.		
NA	NA	DEACT and meet Section 728.148 standards; or RORGS; or CMBST
		DEACT
D001		
Ignitable Characteristic Wastes, except for the Section 721.121(a)(1) High TOC Subcategory, that are managed in CWA or CWA-equivalent or Class I SDWA systems.		
NA	NA	DEACT
		DEACT
D001		
High TOC Ignitable Characteristic Liquids Subcategory based on 35 Ill. Adm. Code 721.121(a)(1) - Greater than or equal to 10% total organic carbon. (Note: This subcategory consists of nonwastewaters only.)		
NA	NA	RORGS; or CMBST
		DEACT
D002		
Corrosive Characteristic Wastes that are managed in non-CWA or non-CWA equivalent non-Class I SDWA systems.		
NA	NA	DEACT and meet Section 728.148 standards
		DEACT and meet Section 728.148 standards

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D002, D004, D005, D006, D007, D008, D009, D010, D011
Radioactive high level wastes generated during the reprocessing of fuel rods.
(Note: This subcategory consists of nonwastewaters only.)

Corrosivity (pH)	NA	NA	HLVIT
Arsenic	7440-38-2	NA	HLVIT
Barium	7440-39-3	NA	HLVIT
Cadmium	7440-43-9	NA	HLVIT
Chromium (Total)	7440-47-3	NA	HLVIT
Lead	7439-92-1	NA	HLVIT
Mercury	7439-97-6	NA	HLVIT
Selenium	7782-49-2	NA	HLVIT
Silver	7440-22-4	NA	HLVIT

D003

Reactive Sulfides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).

NA	NA	DEACT	DEACT
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D003

Explosive subcategory based on 35 Ill. Adm. Code 721.123(a)(6), (a)(7), and (a)(8).

NA	NA	DEACT	DEACT
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D003

Other Reactives Subcategory based on 35 Ill. Adm. Code 721.123(a)(1).

NA	NA	DEACT	DEACT
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D003

Water Reactive Subcategory based on 35 Ill. Adm. Code 721.123(a)(2), (a)(3), and (a)(4).

(Note: This subcategory consists of nonwastewaters only.)

NA	NA	DEACT	DEACT
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D003

Reactive Cyanides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).

Cyanides (Total)(7)	57-12-5	--	590
Cyanides (Amendable)(7)	57-12-5	0.86	30

D004

Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for arsenic based on the extraction procedure (EP) in SW-846 Method 1310.

Arsenic	7440-38-2	5.0	5.0mg/l EP
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Arsenic; alternate(6) 7440-38-2 NA 5.0 mg/l TCLP
standard for
nonwastewaters only.

D005
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity
for barium based on the extraction procedure (EP) in SW-846 Method 1310.

Barium 7440-39-3 100 100 mg/l TCLP

D006
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity
for cadmium based on the extraction procedure (EP) in SW-846 Method 1310.

Cadmium 7440-43-9 1.0 1.0 mg/l TCLP

D006
Cadmium Containing Batteries Subcategory
(Note: This subcategory consists of nonwastewaters only.)

Cadmium 7440-43-9 NA RTHRM

D007
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity
for chromium based on the extraction procedure (EP) in SW-846 Method 1310.

Chromium (Total) 7440-47-3 5.0 5.0 mg/l TCLP

D008
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity
for lead based on the extraction procedure (EP) in SW-846 Method 1310.

Lead 7439-92-1 5.0 5.0 mg/l EP
Lead; alternate(6) 7439-92-1 NA 5.0 mg/l TCLP
nonwastewaters only

D008
Lead Acid Batteries Subcategory
(Note: This standard only applies to lead acid batteries that are identified
as RCRA hazardous wastes and that are not excluded elsewhere from regulation
under the land disposal restrictions of this Part or exempted under other
regulations (see 35 Ill. Adm. Code 726.180).).
(Note: This subcategory consists of nonwastewaters only.)

Lead 7439-92-1 NA RLEAD

D008
Radioactive Lead Solids Subcategory

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(Note: These lead solids include, but are not limited to, all forms of lead
shielding and other elemental forms of lead. These lead solids do not include
treatment residuals such as hydroxide sludges, other wastewater treatment
residuals, or incinerator ashes that can undergo conventional pozzolanic
stabilization, nor do they include organo-lead materials that can be
incinerated and stabilized as ash.)
(Note: This subcategory consists of nonwastewaters only.)

Lead 7439-92-1 NA MACRO

D009
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of
toxicity for mercury based on the extraction procedure (EP) in SW-846 Method
1310; and contain greater than or equal to 260 mg/kg total mercury that also
contain organics and are not incinerator residues.
(High Mercury-Organic Subcategory)

Mercury 7439-97-6 NA IMERC; or
RMERC

D009
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of
toxicity for mercury based on the extraction procedure (EP) in SW-846 Method
1310; and contain greater than or equal to 260 mg/kg total mercury that are
inorganic, including incinerator residues and residues from RMERC.
(High Mercury-Inorganic Subcategory)

Mercury 7439-97-6 NA RMERC

D009
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of
toxicity for mercury based on the extraction procedure (EP) in SW-846 Method
1310; and contain less than 260 mg/kg total mercury.
(Low Mercury Subcategory)

Mercury 7439-97-6 NA 0.20 mg/l TCLP

All D009 wastewaters

Mercury 7439-97-6 0.20 NA

D009
Elemental mercury contaminated with radioactive materials.
(Note: This subcategory consists of nonwastewaters only.)

Mercury 7439-97-6 NA AMLGM

D009

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Hydraulic oil contaminated with Mercury Radioactive Materials Subcategory.
(Note: This subcategory consists of nonwastewaters only.)

Mercury 7439-97-6 NA IMERC

D010
Wastes that exhibit, or are expected to exhibit, the characteristic or toxicity for selenium based on the extraction procedure (EP) in SW-846 Method 1310.

Selenium 7782-49-2 1.0 5.7 mg/l TCLP

D011
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for silver based on the extraction procedure (EP) in SW-846 Method 1310.

Silver 7440-22-4 5.0 5.0 mg/l TCLP

D012
Wastes that are TC for Endrin based on the TCLP in SW-846 Method 1311.

Endrin 72-20-8 BIODG; or
INCIN 0.13
and meet
Section
728.148
standards

Endrin aldehyde 7421-93-4 BIODG; or
INCIN 0.13
and meet
Section
728.148
standards

D013
Wastes that are TC for Lindane based on the TCLP in SW-846 Method 1311.

alpha-BHC 319-84-6 CARBN; or
INCIN 0.066
and meet
Section
728.148
standards

beta-BHC 319-85-7 CARBN; or
INCIN 0.066
and meet
Section
728.148
standards

delta-BHC 319-86-8 CARBN; or
INCIN 0.066
and meet
Section

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gamma-BHC (Lindane) 58-89-9 CARBN; or
INCIN 728.148
standards
0.066
and meet
Section 728.148
standards

D014
Wastes that are TC for Methoxychlor based on the TCLP in SW-846 Method 1311.

Methoxychlor 72-43-5 WETOX or INCIN 0.18
and meet
Section
728.148
standards

D015
Wastes that are TC for Toxaphene based on the TCLP in SW-846 Method 1311.

Toxaphene 8001-35-2 BIODG or INCIN 2.6
and meet
Section
728.148
standards

D016
Wastes that are TC for 2,4-D (2,4-Dichlorophenoxyacetic acid) based on the TCLP in SW-846 Method 1311.

2,4-D (2,4-Dichloro-
phenoxyacetic acid) 94-75-7 CHOXD, BIODG,
or INCIN 10
and meet
Section
728.148
standards

D017
Wastes that are TC for 2,4,5-TP (Silvex) based on the TCLP in SW-846 Method 1311.

2,4,5-TP (Silvex) 93-72-1 CHOXD or INCIN 7.9
and meet
Section
728.148
standards

D018
Wastes that are TC for Benzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

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Benzene	71-43-2	0.14 and meet Section 728.148 standards	10 and meet Section 728.148 standards
D019 Wastes that are TC for Carbon tetrachloride based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Carbon tetrachloride	56-23-5	0.057 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
D020 Wastes that are TC for Chlordane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Chlordane (alpha and gamma isomers)	57-74-9	0.0033 and meet Section 728.148 standards	0.26 and meet Section 728.148 standards
D021 Wastes that are TC for Chlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Chlorobenzene	108-90-7	0.057 and meet Section 728.148 standards	6.0 and meet Section 728.148 standards
D022 Wastes that are TC for Chloroform based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Chloroform	67-66-3	0.046 and meet Section 728.148	6.0 and meet Section 728.148

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D023 Wastes that are TC for o-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only			
o-Cresol	95-48-7	0.11 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
D024 Wastes that are TC for m-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
D025 Wastes that are TC for p-Cresol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77 and meet Section 728.148 standards	5.6 and meet Section 728.148 standards
D026 Wastes that are TC for Cresols (Total) based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.			
Cresol-mixed isomers (Cresylic acid) (sum of o-, m-, and p-cresol concentrations)	1319-77-3	0.88 and meet Section 728.148 standards	11.2 and meet Section 728.148 standards
D027 Wastes that are TC for p-Dichlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA			

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systems only.

p-Dichlorobenzene (1,4-Dichlorobenzene) 0.090 and meet Section 728.148 standards 6.0 and meet Section 728.148 standards

D028 Wastes that are TC for 1,2-Dichloroethane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

1,2-Dichloroethane 107-06-2 0.21 and meet Section 728.148 standards 6.0 and meet Section 728.148 standards

D029 Wastes that are TC for 1,1-Dichloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

1,1-Dichloroethylene 75-35-4 0.025 and meet Section 728.148 standards 6.0 and meet Section 728.148 standards

D030 Wastes that are TC for 2,4-Dinitrotoluene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

2,4-Dinitrotoluene 121-14-2 0.32 and meet Section 728.148 standards 140 and meet Section 728.148 standards

D031 Wastes that are TC for Heptachlor based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Heptachlor 76-44-8 0.0012 and meet 0.066 and meet

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Heptachlor epoxide 1024-57-3 0.016 and meet Section 728.148 standards 0.066 and meet Section 728.148 standards

D032 Wastes that are TC for Hexachlorobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachlorobenzene 118-74-1 0.055 and meet Section 728.148 standards 10 and meet Section 728.148 standards

D033 Wastes that are TC for Hexachlorobutadiene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachlorobutadiene 67-68-3 0.055 and meet Section 728.148 standards 5.6 and meet Section 728.148 standards

D034 Wastes that are TC for Hexachloroethane based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Hexachloroethane 67-72-1 0.055 and meet Section 728.148 standards 30 and meet Section 728.148 standards

D035 Wastes that are TC for Methyl ethyl ketone based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.

Methyl ethyl ketone 78-93-3 0.28 and meet Section 728.148 standards 36 and meet Section 728.148 standards

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- standards standards
- D036
Wastes that are TC for Nitrobenzene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- Nitrobenzene 98-95-3 0.068 and meet Section 728.148 standards standards
- 14 and meet Section 728.148 standards
- D037
Wastes that are TC for Pentachlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- Pentachlorophenol 87-86-5 0.089 and meet Section 728.148 standards standards
- 7.4 and meet Section 728.148 standards
- D038
Wastes that are TC for pyridine based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- Pyridine 110-86-1 0.014 and meet Section 728.148 standards standards
- 16 and meet Section 728.148 standards
- D039
Wastes that are TC for Tetrachloroethylene based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- Tetrachloroethylene 127-18-4 0.056 and meet Section 728.148 standards standards
- 6.0 and meet Section 728.148 standards
- D040
Wastes that are TC for Trichloroethylene based on the TCLP in SW-846 Method

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- 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- Trichloroethylene 79-01-6 0.054 and meet Section 728.148 standards standards
- 6.0 and meet Section 728.148 standards
- D041
Wastes that are TC for 2,4,5-Trichlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- 2,4,5-Trichlorophenol 95-95-4 0.18 and meet Section 728.148 standards standards
- 7.4 and meet Section 728.148 standards
- D042
Wastes that are TC for 2,4,6-Trichlorophenol based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- 2,4,6-Trichlorophenol 88-06-2 0.035 and meet Section 728.148 standards standards
- 7.4 and meet Section 728.148 standards
- D043
Wastes that are TC for Vinyl chloride based on the TCLP in SW-846 Method 1311 and that are managed in non-CWA or non-CWA equivalent or non-Class I SDWA systems only.
- Vinyl chloride 75-01-4 0.27 and meet Section 728.148 standards standards
- 6.0 and meet Section 728.148 standards
- F001, F002, F003, F004, & F005
F001, F002, F003, F004, or F005 solvent wastes that contain any combination of one or more of the following spent solvents: acetone, benzene, n-butyl alcohol, carbon disulfide, carbon tetrachloride, chlorinated fluorocarbons, chlorobenzene, o-cresol, m-cresol, p-cresol, cyclohexanone, o-dichlorobenzene, 2-ethoxyethanol, ethyl acetate, ethyl benzene, ethyl ether, isobutyl alcohol,

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(sum of o-, m-, and p- xylene concentrations)

F001, F002, F003, F004 & F005

F003 and F005 solvent wastes that contain any combination of one or more of the following three solvents as the only listed F001 through F005 solvents: carbon disulfide, cyclohexanone, or methanol. (Formerly Section 728.141(c))

Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
Cyclohexanone	103-34-1	0.36	0.75 mg/l TCLP
Methanol	67-56-1	5.6	0.75 mg/l TCLP

F001, F002, F003, F004 & F005

F005 solvent waste containing 2-Nitropropane as the only listed F001 through F005 solvent.

2-Nitropropane	79-45-9	(WETOX or CHOXD) fb	INCIN
		CARBN: or	
		INCIN	

F001, F002, F003, F004 & F005

F005 solvent waste containing 2-Ethoxyethanol as the only listed F001 through F005 solvent.

2-Ethoxyethanol	110-80-5	BIODG: or	INCIN
		INCIN	

F006

Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segregated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning or stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

F007

Spent cyanide plating bath solutions from electroplating operations.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30

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methanol, methylene chloride, methyl ethyl ketone, methyl isobutyl ketone, nitrobenzene, 2-nitropropane, pyridine, tetrachloroethylene, toluene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, 1,1,2-trichloro-1,1,2-trifluoroethane, trichloroethylene, trichloromonofluoromethane, or xylenes (except as specifically noted in other subcategories). See further details of these listings in 35 Ill. Adm. Code 721.131

Acetone	67-64-1	0.28	160
Benzene	71-43-2	0.14	10
n-Butyl alcohol	71-36-3	5.6	2.6
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlorobenzene	108-90-7	0.057	6.0
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			

Cresol-mixed isomers (Cresylic acid) (Sum of o-, m-, and p-cresol concentrations)

	1319-77-3	0.88	11.2
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Cyclohexanone	108-94-1	0.36	NA
o-Dichlorobenzene	95-50-1	0.088	6.0
Ethyl acetate	141-78-6	0.34	33
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
Isobutyl alcohol	78-83-1	5.6	170
Methanol	67-56-1	5.6	NA
Methylene chloride	75-92-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Nitrobenzene	98-95-3	0.068	14
Pyridine	110-86-1	0.014	16
Tetrachloroethylene	127-18-4	0.056	6.0
Toluene	108-88-3	0.080	10
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
Trichloroethylene	70-01-6	0.054	6.0
Trichloromonofluoromethane	75-69-4	0.020	30
Xylenes-mixed isomers	1330-20-7	0.32	30

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Lead 7439-92-1 0.69 0.37 mg/l TCLP
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F008
 Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.
 Cadmium 7440-43-9 NA 0.19 mg/l TCLP
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
 Cyanides (Total)(7) 57-12-5 1.2 590
 Cyanides (Amenable)(7) 57-12-5 0.86 30
 Lead 7439-92-1 0.69 0.37 mg/l TCLP
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F009
 Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.

Cadmium 7440-43-9 NA 0.19 mg/l TCLP
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
 Cyanides (Total)(7) 57-12-5 1.2 590
 Cyanides (Amenable)(7) 57-12-5 0.86 30
 Lead 7439-92-1 0.69 0.37 mg/l TCLP
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F010
 Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.

Cyanides (Total)(7) 57-12-5 1.2 590
 Cyanides (Amenable)(7) 57-12-5 0.88 NA

F011
 Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.

Cadmium 7440-43-9 NA 0.19 mg/l TCLP
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
 Cyanides (Total)(7) 57-12-5 1.2 590
 Cyanides (Amenable)(7) 57-12-5 0.86 30
 Lead 7439-92-1 0.69 0.37 mg/l TCLP
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F012
 Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.

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Cadmium 7440-43-9 NA 0.19 mg/l TCLP
 Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
 Cyanides (Total)(7) 57-12-5 1.2 590
 Cyanides (Amenable)(7) 57-12-5 0.86 30
 Lead 7439-92-1 0.69 0.37 mg/l TCLP
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP
 Silver 7440-22-4 NA 0.30 mg/l TCLP

F019
 Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
 Cyanides (Total)(7) 57-12-5 1.2 590
 Cyanides (Amenable)(7) 57-12-5 0.86 30

F020, F021, F022, F023, F026

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives, excluding wastes from the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (i.e., F020); (2) pentachlorophenol, or of intermediates used to produce its derivatives (i.e., F021); (3) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F022). Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenols, excluding wastes from equipment used only for the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (F023); (2) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F026).

HxCDDs (All Hexachloro- dibenzo-p-dioxins) NA 0.000063 0.001
 HxCDFs (All Hexachloro- dibenzofurans) NA 0.000063 0.001
 PeCDDs (All Penta- chloro-dibenzo-p-dioxins) NA 0.000063 0.001
 PeCDFs (All Pentachloro- dibenzofurans) NA 0.000035 0.001
 TCDDs (All Tetrachloro- dibenzo-p-dioxins) NA 0.000063 0.001
 TCDFs (All Tetrachloro- dibenzofurans) NA 0.000063 0.001
 2,4,5-Trichlorophenol 95-95-4 0.18 7.4

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2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
phenol			
Pentachlorophenol	87-86-5	0.089	7.4
F027			
Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)			
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
phenol			
Pentachlorophenol	87-86-5	0.089	7.4
F028			
Residues resulting from the incineration or thermal treatment of soil contaminated with <u>USEPA B-S</u> hazardous waste numbers F020, F021, F023, F026, and F027.			
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4

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phenol			
Pentachlorophenol	87-86-5	0.089	7.4
F024			
Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor clean-out wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to an including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts, and wastes listed in 35 Ill. Adm. Code 721.131 or 721.132.)			
All F024 wastes	NA	INCIN	INCIN
2-Chloro-1,3-butadiene	126-99-8	0.057	0.28
3-Chloropropylene	107-05-1	0.036	30
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Hexachloroethane	67-72-1	0.055	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

F025
Condensed light ends from the production of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

F025 - Light Ends Subcategory

Carbon tetrachloride	56-23-6	0.057	6.0
Chloroform	67-66-3	0.046	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

F025

Spent filters and filter aids, and spent desiccant wastes from the production

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of certain chlorinated aliphatic hydrocarbons, by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution.

F025 - Spent Filters or Aids and Desiccants Subcategory

Carbon tetrachloride	56-23-5	0.067	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

F037

Petroleum refinery primary oil/water/solids separation sludge-Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludge generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing.

Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benzenes	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-)	1330-20-7	0.032	30

F039

Leachate (liquids that have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under 728.Subpart D. (Leachate resulting from the disposal of one or more of the following USEPA W-S-BPA hazardous wastes and no other hazardous wastes retains its USEPA W-S-BPA hazardous waste numbers: F020, F021, F022, F026, F027, or F028.

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xylene concentrations)

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

F038

Petroleum refinery secondary (emulsified) oil/water/solids separation sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges and floats generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges and floats generated in one or more additional units after wastewaters have been treated in aggressive biological units) and F037, K048, and K051 are not included in this list.

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-)	1330-20-7	0.32	30

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

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Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	NA
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
delta-BHC	319-86-8	0.023	0.066
gamma-BHC	58-89-9	0.0017	0.066
Benzene	71-43-2	0.14	10
Bena(a)anthracene	56-55-3	0.059	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
(difficult to distinguish from benzo-(k)fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
(difficult to distinguish from benzo-b)fluoranthene)			
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Benzo(a)pyrene	50-32-8	0.061	3.4
Bromodichloromethane	75-27-4	0.35	15
Methyl bromide (Bromo-methane)	74-83-9	0.11	15
4-Bromophenyl phenyl ether	101-55-3	0.055	15
n-Butyl alcohol	71-36-3	5.6	2.6
Butyl benzyl phthalate	85-68-7	0.017	28
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	2.5
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
p-Chloroaniline	106-47-8	0.46	16
Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzilate	510-15-6	0.10	NA
2-Chloro-1,3-butadiene	126-99-8	0.057	NA
Chlorodibromomethane	124-48-1	0.057	15
Chloroethane	75-00-3	0.27	6.0

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

bis(2-Chloroethoxy)-methane	111-31-1	0.036	7.2
bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0
bis(2-Chloroisopropyl)-ether	108-80-1	0.055	7.2
39638-32-9			
p-Chloro-m-cresol	59-50-7	0.018	14
Chloromethane (Methyl chloride)	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(Difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Cyclohexanone	108-94-1	0.36	NA
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087
p,p'-DDE	72-55-3	0.031	0.087
o,p'-DDT	789-32-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-9	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1-2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14

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2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloro-propylene	10061-01-5	0.036	18
trans-1,3-Dichloro-propylene	10061-02-6	0.056	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	NA	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	NA
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	NA
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1-31-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propane-nitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-8	0.12	NA
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorobenzene	118-74-1	0.055	10

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NOTICE OF PROPOSED AMENDMENTS

Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepon	143-50-8	0.0011	0.13
Methacrylonitrile	126-98-7	0.24	84
Methanol	67-56-1	5.6	NA
Methapyrilene	91-80-5	0.081	1.5
Methoxychlor	72-43-5	0.25	0.18
3-Methylcholanthrene	56-49-5	0.0055	15
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methyl methacrylate	80-62-6	0.14	160
Methyl methansulfonate	66-27-3	0.018	NA
Methyl parathion	298-00-0	0.014	4.6
Naphthalene	91-20-3	0.059	5.6
2-Naphthylamine	91-59-8	0.52	NA
p-Nitroaniline	100-01-6	0.028	28
Nitrobenzene	98-95-3	0.068	14
5-Nitro-o-toluidine	99-55-8	0.32	28
p-Nitrophenol	100-02-7	0.12	29
N-Nitrosodiethylamine	55-18-5	0.40	28
N-Nitrosodiemthylamine	62-75-9	0.40	NA
N-Nitroso-di-n-butyl-amine	924-16-3	0.40	17
N-Nitrosomethylethyl-amine	10595-95-6	0.40	2.3
N-Nitrosomorpholine	59-89-2	0.40	2.3
N-Nitrosopiperidine	100-75-4	0.013	35
N-Nitrosopyrrolidine	930-55-2	0.013	35
Parathion	56-38-2	0.014	4.6
Total PCBs (sum of all PCB isomers, or all Aroclors)	1336-36-3	0.10	10

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Pentachlorobenzene	608-93-5	0.055	10
PeCdds (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachloronitrobenzene	82-68-8	0.055	4.8
Pentachlorophenol	87-86-5	0.089	7.4
Phenacetin	62-44-2	0.081	16
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Phorate	298-02-2	0.021	4.6
Phthalic anhydride	85-44-9	0.055	NA
Promamide	23950-58-5	0.093	1.5
Pyrene	129-00-0	0.067	8.2
Pyridine	110-86-1	0.014	16
Safrrole	94-59-7	0.081	22
Silvex (2,4,5-TP)	93-72-1	0.72	7.9
2,4,5-T	93-76-5	0.72	7.9
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Bromoform (Tribromomethane)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Trichloromonofluoromethane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
tris(2,3-Dibromopropyl) phosphate	126-72-7	0.11	NA

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Vinyl chloride	75-01-4	0.27	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Antimony	7440-36-0	1.9	2.1 mg/l TCCLP
Arsenic	7440-38-2	1.4	5.0 mg/l TCCLP
Barium	7440-39-3	1.2	7.6 mg/l TCCLP
Beryllium	7440-41-7	0.82	NA
Cadmium	7440-43-9	0.69	0.19 mg/l TCCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	NA
Fluoride	16964-48-8	35	NA
Lead	7439-92-1	0.69	0.37 mg/l TCCLP
Mercury	7439-97-6	0.15	0.025 mg/l TCCLP
Nickel	7440-02-0	3.98	TCCLP
Selenium	7782-49-2	0.82	5.0 mg/l TCCLP
Silver	7440-22-4	0.43	0.16 mg/l TCCLP
Sulfide	8496-25-8	14	0.30 mg/l TCCLP
Thallium	7440-28-0	1.4	NA
Vanadium	7440-62-2	4.3	NA
K001			
Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.			
Naphthalene	91-20-3	0.059	5.6
Pentachlorophenol	87-86-5	0.089	7.4
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.69	0.37 mg/l TCCLP
K002			
Wastewater treatment sludge from the production of chrome yellow and orange pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCCLP
Lead	7439-92-1	0.69	0.37 mg/l TCCLP
K003			
Wastewater treatment sludge from the production of molybdate orange pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCCLP
Lead	7439-92-1	0.69	0.37 mg/l TCCLP
K004			

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Wastewater treatment sludge from the production of zinc yellow pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Lead 7439-92-1 0.69 0.37 mg/l TCLP

K005

Wastewater treatment sludge from the production of chrome green pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Lead 7439-92-1 0.69 0.37 mg/l TCLP
Cyanides (Total)(7) 57-12-5 1.2 590

K006

Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous).

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Lead 7439-92-1 0.69 0.37 mg/l TCLP

K006

Wastewater treatment sludge from the production of chrome oxide green pigments (hydrated).

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Lead 7439-92-1 0.69 NA

K007

Wastewater treatment sludge from the production of iron blue pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Lead 7439-92-1 0.69 NA
Cyanides (Total)(7) 57-12-5 1.2 590

K008

Oven residue from the production of chrome oxide green pigments.

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Lead 7439-92-1 0.69 0.37 mg/l TCLP

K009

Distillation bottoms from the production of acetaldehyde from ethylene.

Chloroform 67-66-3 0.046 6.0

K010

Distillation side cuts from the production of acetaldehyde from ethylene.

Chloroform 67-66-3 0.046 6.0

K011

Bottom stream from the wastewater stripper in the production of acrylonitrile.

Acetonitrile 75-05-8 5.6 18
Acrylonitrile 107-13-1 0.24 84
Acrylamide 79-06-1 19 23
Benzene 71-43-2 0.14 10
Cyanide (Total) 57-12-5 1.2 590

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

K013

Bottom stream from the acetonitrile column in the production of acrylonitrile.

Acetonitrile 75-05-8 5.6 1.8
Acrylonitrile 107-13-1 0.24 84
Acrylamide 79-06-1 19 23
Benzene 71-43-2 0.14 10
Cyanide (Total) 57-12-5 1.2 590

K014

Bottoms from the acetonitrile purification column in the production of acrylonitrile.

Acetonitrile 75-05-8 5.6 1.8
Acrylonitrile 107-13-1 0.24 84
Acrylamide 79-06-1 19 23
Benzene 71-43-2 0.1410
Cyanide (Total) 57-12-5 1.2 590

K015

Still bottoms from the distillation of benzyl chloride.

Anthracene 120-12-7 0.059 3.4
Benzal chloride 98-87-3 0.055 6.0
Benzo(b)fluoranthene 205-99-2 0.11 6.8
(difficult to distinguish from benzo-

(k)fluoranthene)

Benzo(k)fluoranthene 207-08-9 0.11 6.8
(difficult to distinguish from benzo-

(b)fluoranthene)

Phenanthrene 85-01-8 0.059 5.6
Toluene 108-88-3 0.080 10

Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP

Nickel 7440-02-0 3.98 5.0 mg/l TCLP

K016

Heavy ends or distillation residues from the production of carbon tetrachloride.

Hexachlorobenzene 118-74-1 0.055 10
Hexachlorobutadiene 87-68-3 0.055 5.6
Hexachlorocyclopentadiene 77-47-4 0.057 2.4
Hexachloroethane 67-72-1 0.055 30
Tetrachloroethylene 127-18-4 0.056 6.0

K017

Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.

bis(2-Chloroethyl)ether 111-44-4 0.033 6.0

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

K018
Heavy ends from the fractionation column in ethyl chloride production.
Chloroethane 75-00-3 0.27 6.0
Chloromethane 74-87-3 0.19 NA
1,1,1-Dichloroethane 75-34-3 0.059 6.0
1,2-Dichloroethane 107-06-2 0.21 6.0
Hexachlorobenzene 118-74-1 0.055 10
Hexachlorobutadiene 87-68-3 0.055 5.6
Hexachloroethane 67-72-1 0.055 30
Pentachloroethane 76-01-7 NA 6.0
1,1,1-Trichloroethane 71-55-6 0.054 6.0

K019
Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.
bis(2-Chloroethyl) ether 111-44-4 0.033 6.0

Chlorobenzene 108-90-7 0.057 6.0
Chloroform 67-66-3 0.046 6.0
p-Dichlorobenzene 106-46-7 0.090 NA
1,2-Dichloroethane 107-06-2 0.21 6.0
Fluorene 86-73-7 0.059 NA
Hexachloroethane 67-72-1 0.055 30
Naphthalene 91-20-3 0.059 5.6
Phenanthrene 85-01-8 0.059 5.6
1,2,4,5-Tetrachloro-benzene 95-94-3 0.055 NA
Tetrachloroethylene 127-18-4 0.056 6.0
1,2,4-Trichlorobenzene 120-82-1 0.055 19
1,1,1-Trichloroethane 71-55-6 0.054 6.0

K020
Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.
1,2-Dichloroethane 107-06-2 0.21 6.0
1,1,2,2-Tetrachloroethane 79-34-6 0.057 6.0
Tetrachloroethylene 127-18-4 0.056 6.0

K021
Aqueous spent antimony catalyst waste from fluoromethane production.
Carbon tetrachloride 56-23-5 0.057 6.0
Chloroform 67-66-3 0.046 6.0
Antimony 7440-36-0 1.9 2.1 mg/l TCLP

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

K022
Distillation bottom tars from the production of phenol or acetone from cumene.
Toluene 108-88-3 0.080 10
Acetophenone 96-86-2 0.010 9.7
Diphenylamine 122-39-4 0.92 13
(difficult)
to distinguish from
diphenylnitrosamine
Diphenylnitrosamine 86-30-6 0.92 13
(difficult to
distinguish from
diphenylamine)
Phenol 108-95-2 0.039 6.2
Chromium (Total) 7440-47-3 2.77 0.86 mg/l TCLP
Nickel 7440-02-0 0.98 5.0 mg/l TCLP

K023
Distillation light ends from the production of phthalic anhydride from naphthalene.
Phthalic anhydride 100-21-0 0.055 28
(measured as Phthalic acid or Terephthalic acid)
Phthalic anhydride 85-44-9 0.055 28

K024
Distillation bottoms from the production of phthalic anhydride from naphthalene.
Phthalic anhydride 100-21-0 0.055 28
(measured as Phthalic acid or Terephthalic acid)
Phthalic anhydride 85-44-9 0.055 28

K025
Distillation bottoms from the production of nitrobenzene by the nitration of benzene.
NA NA LLEXT fb SSTRP INCIN
fb CARBN; or
INCIN

K026
Stripping still tails from the production of methyl ethyl pyridines.
NA NA INCIN

K027
Centrifuge and distillation residues from the toluene diisocyanate production.
NA NA CARBN; or
CMBST

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

INCIN

K028		
Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.		
1,1-Dichloroethane	75-34-3	0.059
trans-1,2-Dichloroethylene	156-60-5	0.054
Hexachlorobutadiene	87-88-3	0.055
Hexachloroethane	67-72-1	0.055
Pentachloroethane	76-01-7	NA
1,1,1,2-Tetrachloroethane	630-20-6	0.057
ethane		
1,1,2,2-Tetrachloroethane	79-34-6	0.057
Tetrachloroethylene	127-18-4	0.056
1,1,1-Trichloroethane	71-55-6	0.054
1,1,2-Trichloroethane	79-00-5	0.054
Cadmium	7440-43-9	0.69
Chromium (Total)	7440-47-3	2.77
Lead	7439-92-1	0.69
Nickel	7440-02-0	3.98
		0.86 mg/l TCLP
		0.37 mg/l TCLP
		5.0 mg/l TCLP

K029		
Waste from the product steam stripper in the production of 1,1,1-trichloroethane.		
Chloroform	67-66-3	0.046
1,2-Dichloroethane	107-06-2	0.21
1,1-Dichloroethylene	75-35-4	0.025
1,1,1-Trichloroethane	71-55-6	0.054
Vinyl chloride	75-01-4	0.27

K030		
Column bodies or heavy ends from the combined production of trichloroethylene and perchloroethylene.		
o-Dichlorobenzene	95-50-1	0.088
p-Dichlorobenzene	106-46-7	0.090
Hexachlorobutadiene	87-68-3	0.055
Hexachloroethane	67-72-1	0.055
exachloropropylene	1888-71-7	NA
entachlorobenzene	608-93-5	NA
entachloroethane	76-01-7	NA
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055
etrachloroethylene		
1,2,4-Trichlorobenzene	127-18-4	0.056
	120-82-1	0.055

K031

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

By-product salts generated in the production of MSMA and cacodylic acid.

Arsenic 7440-38-2 1.4 5.0 mg/l TCLP

K032		
Wastewater treatment sludge from the production of chlordane.		
Hexachlorocyclopentadiene	77-47-4	0.057
diene		2.4
Chlordane (alph and gamma isomers)	57-74-9	0.0033
Heptachlor	76-44-8	0.0012
Heptachlor epoxide	1024-57-3	0.016
		0.066
K033		
Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.		
Hexachlorocyclopentadiene	77-47-4	0.057
diene		2.4
K034		
Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.		
Hexachlorocyclopentadiene	77-47-4	0.057
diene		2.4

K035		
Wastewater treatment sludges generated in the production of cresote.		
Acenaphthene	83-32-9	NA
Anthracene	120-12-7	NA
Benzo(a)anthracene	56-55-3	0.061
Benzo(a)pyrene	50-32-8	0.061
Chrysene	218-01-9	0.059
o-Cresol	95-48-7	0.11
m-Cresol	108-39-4	0.77
(difficult to distinguish from p-cresol)		
p-Cresol	106-44-5	0.77
(difficult to distinguish from m-cresol)		
Dibenz(a,h)anthracene	53-70-3	NA
Fluoranthene	206-44-0	0.068
Fluorene	86-73-7	NA
Indeno(1,2,3-cd)pyrene	193-39-5	NA
Naphthalene	91-20-3	0.059
Phenanthrene	85-01-8	0.059
Phenol	108-95-2	0.039
Pyrene	129-00-0	0.067
		8.2
		3.4
		3.4
		3.4
		3.4
		3.4
		5.6
		5.6

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

K036 Still bottoms from toluene disulfoton. Disulfoton	298-04-4	0.017	6.2
	K037 Wastewater treatment sludges from the production of disulfoton.		
	298-04-4	0.017	6.2
K037 Disulfoton	108-88-3	0.080	10
	Toluene		
K038 Wastewater from the washing and stripping of phorate production.	298-02-2	0.021	4.6
	Phorate		
K039 Filter cake form the filtration of diethylphosphorodithioic acid in the production of phorate.	NA	CARBEN; or	CMBST
	NA	INCIN	
K040 Wastewater treatment sludge from the production of phorate.	298-02-2	0.021	4.6
	Phorate		
K041 Wastewater treatment sludge from the production of toxaphene.	8001-35-2	0.0095	2.6
	Toxaphene		
K042 Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	o-Dichlorobenzene	95-50-1	0.088
	p-Dichlorobenzene	106-46-7	0.090
	Pentachlorobenzene	608-93-5	0.055
	1,2,4,5-Tetrachloro- benzene	95-94-3	0.055
	1,2,4-Trichlorobenzene	120-82-1	0.055
	2,6-Dichlorophenol	120-83-2	0.044
	2,4-Dichlorophenol	187-65-0	0.044
	2,4,5-Trichlorophenol	95-95-4	0.18
	2,4,6-Trichlorophenol	88-06-2	0.035
	2,3,4,6-Tetrachloro- phenol	58-90-2	0.030
K043 2,6-Dichlorophenol waste from the production of 2,4-D.	87-86-5	0.089	7.4
	Tetrachloroethylene	127-18-4	0.056

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HxCDDs (All Hexachloro- dibenzo-p-dioxins) HxCDFs (all Hexachloro- dibenzofurans) PeCDDs (All Pentachloro- dibenzo-p-dioxins) PeCDFs (All Pentachloro- dibenzofurans) TCDDs (All Tetrachloro- dibenzo-p-dioxins) TCDFs (All Tetrachloro- dibenzofurans)	NA	0.000063	0.001
	NA	0.000063	0.001
	NA	0.000063	0.001
	NA	0.000035	0.001
	NA	0.00063	0.001
K044 Wastewater treatment sludges from the manufacturing and processing of explosives.	NA	DEACT	DEACT
	NA	DEACT	DEACT
K045 Spent carbon from the treatment of wastewater containing explosives.	NA	DEACT	DEACT
	NA	DEACT	DEACT
K046 Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	7439-92-1	0.69	0.37 mg/l TCLP
	Lead		
K047 Pink or red water from TNT operations.	NA	DEACT	DEACT
	NA	DEACT	DEACT
K048 Dissolved air flotation (DAF) float from the petroleum refining industry.	Benzene	71-43-2	0.14
	Benzo(a)pyrene	50-32-8	0.61
	bis(2-Ethylhexyl) phthalate	117-81-7	0.28
	Chrysene	218-01-9	0.059
	Di-n-butyl phthalate	84-74-2	0.057
	Ethylbenzene	100-41-4	0.057
	Fluorene	86-73-7	0.059
	Naphthalene	91-20-3	0.059
	Phenanthrene	85-01-8	0.059
	Phenol	108-95-2	0.039
Xylenes-mixed isomers (sum of o-, m-, and p-)	Pyrene	129-00-0	0.067
	Toluene	108-88-33	0.080
	Xylenes-mixed isomers	1330-20-7	0.32

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xylene concentrations)			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

K049

Slip oil emulsion solids from the petroleum refining industry.

Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28

Carbon disulfide	75-15-0	3.8	NA
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Chrysene	2218-01-9	0.059	3.4
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2,4-Dimethylphenol	105-67-9	0.036	NA
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Ethylbenzene	100-41-4	0.057	10
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Naphthalene	91-20-3	0.059	5.6
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Phenanthrene	85-01-8	0.059	5.6
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Phenol	108-95-2	0.039	6.2
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Pyrene	129-00-0	0.067	8.2
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Toluene	108-88-3	0.080	10
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Xylenes-mixed isomers	1330-20-7	0.32	30
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(sum of o-, m-, and p- xylene concentrations)			
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Cyanides (Total)(7)	57-12-5	1.2	590
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Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
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Lead	7439-92-1	0.69	NA
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Nickel	7440-02-0	NA	5.0 mg/l TCLP
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K050

Heat exchanger bundle cleaning sludge from the petroleum refining industry.

Benzo(a)pyrene	50-32-8	0.061	3.4
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Phenol	108-95-2	0.039	6.2
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Cyanides (Total)(7)	57-12-5	1.2	590
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Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
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Lead	7439-92-1	0.69	NA
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Nickel	7440-02-0	NA	5.0 mg/l TCLP
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K051

API separator sludge from the petroleum refining industry.

Acenaphthene	83-32-9	0.059	NA
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Anthracene	120-12-7	0.059	3.4
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Benzo(a)anthracene	56-55-3	0.059	3.4
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Benzene	71-43-2	0.14	10
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Benzo(a)pyrene	50-32-8	0.061	3.4
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bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
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Chrysene	2218-01-9	0.059	3.4
Di-n-butyl phthalate	105-67-9	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	106-88-3	0.08	10
Xylenes-mixed isomers	1330-20-7	0.32	30

(sum of o-, m-, and p- xylene concentrations)			
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Cyanides (Total)(7)	57-12-5	1.2	590
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Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
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Lead	7439-92-1	0.69	NA
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Nickel	7440-02-0	NA	5.0 mg/l TCLP
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K052
Tank bottoms (lead) from the petroleum refining industry.

Benzene	71-43-2	0.14	10
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Benzo (a)pyrene	50-32-8	0.061	3.4
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o-Cresol	95-48-7	0.11	5.6
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m-Cresol	108-39-4	0.77	5.6
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(difficult to distinguish from p-cresol)			
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p-Cresol	106-44-5	0.77	5.6
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(difficult to distinguish from m-cresol)			
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2,4-Dimethylphenol	105-67-9	0.036	NA
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Ethylbenzene	100-41-4	0.057	10
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Naphthalene	91-20-3	0.059	5.6
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Phenanthrene	85-01-8	0.059	5.6
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Phenol	108-95-2	0.039	6.2
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Toluene	108-88-3	0.08	10
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Xylene-mixed isomers	1330-20-7	0.32	30
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(sum of o-, m-, and p- xylene concentrations)			
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Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
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Cyanides (Total)(7)	57-12-5	1.2	590
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Lead	7439-92-1	0.69	NA
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Nickel	7440-02-0	NA	5.0 mg/l TCLP
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K060

Ammonia still lime sludge from coking operations.

Benzene	71-43-2	0.14	10
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Benzo(a) pyrene	50-32-8	0.061	3.4
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NOTICE OF PROPOSED AMENDMENTS

Naphthalene	91-20-3	0.059	5.6
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590
K061			
Emission control dust or sludge from the primary production of steel in electric furnaces.			
Antimony	7440-36-0	NA	2.1 mg/l TCLP
Arsenic	7440-38-2	NA	5.0 mg/l TCLP
Barium	7440-39-3	NA	7.6 mg/l TCLP
Beryllium	7440-41-7	NA	0.014 mg/l TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	NA	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	NA	0.16 mg/l TCLP
Silver	7740-22-4	NA	0.30 mg/l TCLP
Thallium	NA	NA	0.078 mg/l TCLP
Zinc	7440-66-6	NA	5.3 mg/l TCLP

K062			
Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).			
Chromium (Total)	7740-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	NA

K069			
Emission control dust or sludge from secondary lead smelting. - Calcium sulfate (Low Lead) Subcategory			
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K069			
Emission control dust or sludge from secondary lead smelting. - Non-Calcium sulfate (High Lead) Subcategory			
NA	NA	NA	RLEAD

K071			
(Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used) nonwastewaters that are residues from RMERC.			
Mercury	7439-97-6	NA	0.20 mg/l TCLP

K071			
(Brine purification muds from the mercury cell process in chlorine			

POLLUTION CONTROL BOARD

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production, where separately prepurified brine is to used) nonwastewaters that are not residues from RMERC.			
Mercury	7439-97-6	NA	0.025 mg/l TCLP

K071			
All K071 wastewaters.			
Mercury	7439-97-6	0.015	NA
K073			
Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.			
Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachloroethane	67-72-1	0.055	30
Tetrachloroethylene	127-18-4	0.058	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0

K083			
Distillation bottoms from aniline production.			
Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
Cyclohexanone	108-94-1	0.36	NA
Diphenylamine	122-33-4	0.92	13
(difficult to distinguish from diphenylnitrosamine)			
Diphenylnitrosamine	86-30-6	0.92	13
(difficult to distinguish from diphenylamine)			
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

K084			
Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.			
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP

K085			
Distillation or fractionation column bottoms from the production of chlorobenzenes.			
Benzene	71-43-2	0.014	10
Chlorobenzene	108-90-7	0.057	6.0
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0

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Hexachlorobenzene	118-74-1	0.055	10
Total PCBs (sum of all PCB isomers, or all Aroclors)	1336-36-3	0.10	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	10
1,2,4-Trichlorobenzene	120-82-1	0.055	19

K086

Solvent wastes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.

Acetone	67-64-1	0.28	160
Acetophenone	96-86-2	0.010	9.7
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28

n-Butyl alcohol	71-36-3	5.6	2.6
Butylbenzyl phthalate	85-68-7	0.017	28
Cyclohexanone	108-94-1	0.36	NA
o-Dichlorobenzene	95-50-1	0.088	6.0
Diethyl phthalate	84-66-2	0.20	28
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
Di-n-octyl phthalate	117-84-0	0.017	28
Ethyl acetate	141-78-6	0.34	33
Ethylbenzene	100-41-4	0.057	10
Methanol	67-56-1	5.6	NA
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methylene chloride	75-09-2	0.089	30
Naphthalene	91-20-3	0.059	5.6
Nitrobenzene	98-95-3	0.068	14
Toluene	108-88-3	0.080	10
1,1,1-Trichloroethane	71-55-6	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Xylenes-mixed isomers	1330-20-7	0.32	30
(sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K087

Decanter tank tar sludge from coking operations.

Acenaphthylene	208-96-8	0.059	3.4
Benzene	71-43-2	0.14	10
Chrysene	218-01-9	0.059	3.4

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Fluoranthene	206-44-0	0.068	3.4
Indenol(1,2,3-cd)pyrene	193-39-5	0.0055	3.4
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.069	0.37 mg/l TCLP

K093

Distillation light ends from the production of phthalic anhydride from orthoxylyene.

Phthalic anhydride	100-21-0	0.055	28
(measured as Phthalic acid or erephthalic acid)			
Phthalic anhydride	85-44-9	0.055	28

K094

Distillation bottoms from the production of phthalic anhydride from orthoxylyene.

Phthalic anhydride	100-21-0	0.055	28
(measured as Phthalic acid or Terephthalic acid)			
Phthalic anhydride	85-44-9	0.055	28

K095

Distillation bottoms from the production of 1,1,1-trichloroethane.

Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloro- ethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloro- ethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

K096

Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.

m-Dichlorobenzene	541-73-1	0.036	6.0
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloro- ethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloro-	79-34-6	0.057	6.0

POLLUTION CONTROL BOARD

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ethane			
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

K097

Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.

Chlordane alpha and gamma isomers)	57-74-9	0.0033	0.26
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.068
Hexachlorocyclopenta-diene	77-47-4	0.057	2.4

K098

Untreated process wastewater from the production of toxaphene.

Toxaphene	8001-35-2	0.0095	2.6
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K099

Untreated wastewater from the production of 2,4-D.

2,4-Dichlorophenoxy-acetic acid	94-75-7	0.72	10
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HxCDDs (All Hexachloro-dibenzo-p-dioxins)

NA	0.000063	0.001
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HxCDFs (All) Hexachloro-dibenzofurans)

NA	0.000063	0.001
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PeCDDs (All Pentachloro-dibenzo-p-dioxins)

NA	0.000063	0.001
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PeCDFs (All Pentachloro-dibenzofurans)

NA	0.000035	0.001
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TCDDs (All Tetrachloro-dibenzo-p-dioxins)

NA	0.000063	0.001
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TCDFs (All Tetrachloro-dibenzofurans)

NA	0.000063	0.001
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K100

Waste leaching solution from acid leaching of emission control dust or sludge from secondary lead smelting.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

K101

Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

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o-Nitroaniline	88-74-4	0.27	14
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.69	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

K102

Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

o-Nitrophenol	88-75-5	0.028	13
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.069	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

K103

Process residues from aniline extraction from the production of aniline.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2

K104

Combined wastewater streams generated from nitrobenzene or aniline production.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590

K105

Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.

Benzene	71-43-2	0.14	10
Chlorobenzene	108-90-7	0.057	6.0
2-Chlorophenol	95-57-8	0.044	5.7
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Phenol	108-95-2	0.039	6.2
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4

K106

(wastewater treatment sludge from the mercury cell process in chloroaine production) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury.

POLLUTION CONTROL BOARD

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Mercury	7439-97-6	NA	RMERC
K106			
K106	(wastewater treatment sludge from the mercury cell process in chlorine production) nonwastewaters that contain less than 260 mg/kg total mercury that are residues from RMERC.		
Mercury	7439-97-6	NA	0.20 mg/l TCLP
K106			
Other K106 nonwastewaters	that contain less than 260 mg/kg total mercury and are not residues from RMERC.		
Mercury	7439-97-6	NA	0.025 mg/l TCLP
K106			
All K106 wastewaters.	7439-97-6	0.15	NA
Mercury			
K107			
Column bottoms from product separation	from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.		
NA	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K108			
Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K109			
Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	NA	INCIN; or	INCIN
NA	NA	CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K110			
Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	NA	INCIN; or	INCIN
NA	NA	CHOXD fb	

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			CARBN; or
			BIODG fb CARBN
K111			
Product washwaters from the production of dinitrotoluene via nitration of toluene.	121-1-1	0.32	140
2,4-Dinitrotoluene	606-20-2	0.55	28
K112			
Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	NA	INCIN; or	INCIN
		CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	
K113			
Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	NA	CARBN; or	CMBST
		INCIN	
K114			
Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	NA	CARBN; or	CMBST
		INCIN	
K115			
Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	7440-02-0	3.98	5.0 mg/l TCLP
Nickel			CMBST
NA	NA	CARBN; or	
		INCIN	
K116			
Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	NA	CARBN; or	CMBST
		INCIN	
K117			
Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.			
Methyl bromide (Bromo-methane)	74-83-90.11	15	
Chloroform	67-66-3	0.046	6.0

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Ethylene-dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
K118 Spent absorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	Methyl bromide (Bromo-methane)	74-83-9	0.11
Chloroform	67-66-3	0.046	6.0
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
K123 Process wastewater (including supernates, filtrates, and washwaters) from the production of ethylenedisithiocarbamic acid and its salts.	NA	INCIN; or CHOXD fb (BIODG or CAREN)	INCIN
K124 Reactor vent scrubber water from the production of ethylenedisithiocarbamic acid and its salts.	NA	INCIN; or CHOXD fb (BIODG or CAREN)	INCIN
K125 Filtration, evaporation, and centrifugation solids from the production of ethylenedisithiocarbamic acid and its salts.	NA	INCIN; or CHOXD fb (BIODG or CAREN)	INCIN
K126 Baghouse dust and floor sweeping in milling and packaging operations from the production or formulation of ethylenedisithiocarbamic acid and its salts.	NA	INCIN; or CHOXD fb (BIODG or CAREN)	INCIN
K131 Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.			

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Methyl bromide (Bromo-methane)	74-83-9	0.11	15
K132 Spent absorbent and wastewater separator solids from the production of methyl bromide.	Methyl bromide (Bromo-methane)	74-83-9	0.11
K136 Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	Methyl bromide (Bromo-methane)	74-83-9	0.11
Chloroform	67-66-3	0.046	6.0
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
K141 Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations).	Benzene	71-43-2	0.14
	Benz(a)anthracene	56-55-3	0.059
	Benz(o)a)pyrene	50-2-9	0.061
	(difficult to distinguish from benzo-(k)fluoranthene)		
	Benzo(k)fluoranthene	207-08-9	0.11
	(difficult to distinguish from benzo-(b)fluoranthene)		
	Chrysene	218-01-9	0.059
	Diben(a,h)anthracene	53-70-3	0.055
	Indeno(1,2,3-cd)pyrene	193-39-5	0.0055
K142 Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.	Benzene	71-43-2	0.14
	Benzo(a)anthracene	56-55-3	0.059
	Benzo(a)pyrene	50-32-8	0.061
	Benzo(b)fluoranthene	205-99-2	0.11
	(difficult to distinguish from benzo-(k)fluoranthene)		
	Benzo(k)fluoranthene	207-08-9	0.11
	(difficult to		

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distinguish from benzo-
(b)fluoranthene) 3.4
Chrysene 0.059
Dibenz(a,h)anthracene 53-70-3 8.2
Ideno(1,2,3-cd)pyrene 193-39-5 3.4

K143
Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.
Benzene 71-43-2 10
Benz(a)anthracene 56-55-3 3.4
Benzo(a)pyrene 50-32-8 3.4
Benzo(b)fluoranthene 205-99-2 6.8
(difficult to distinguish from benzo-
(k)fluoranthene)
Benzo(k)fluoranthene 207-08-9 6.8
(difficult to distinguish from benzo-
(b)fluoranthene)
Chrysene 218-01-9 3.4

K144
Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.
Benzene 71-43-2 10
Benz(a)anthracene 56-55-3 3.4
Benzo(a)pyrene 50-32-8 3.4
Benzo(b)fluoranthene 205-99-2 6.8
(difficult to distinguish from benzo-
(k)fluoranthene)
Benzo(k)fluoranthene 207-08-9 6.8
(difficult to distinguish from benzo-
(b)fluoranthene)
Chrysene 218-01-9 3.4
Dibenz(a,h)anthracene 53-70-3 8.2

K145
Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.
Benzene 71-43-2 10
Benz(a)anthracene 56-55-3 3.4
Benzo(a)pyrene 50-32-8 3.4
Chrysene 218-01-9 3.4

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Dibenz(a,h)anthracene 53-70-3 6.2
Naphthalene 91-20-3 5.6

K147
Tar storage tank residues from coal tar refining.
Benzene 71-43-2 10
Benz(a)anthracene 56-55-3 3.4
Benzo(a)pyrene 50-32-8 3.4
Benzo(b)fluoranthene 205-99-2 6.8
(difficult to distinguish from benzo-
(k)fluoranthene)
Benzo(k)fluoranthene 207-08-9 6.8
(difficult to distinguish from benzo-
(b)fluoranthene)
Chrysene 218-01-9 3.4
Dibenz(a,h)anthracene 53-70-3 8.2
Indeno(1,2,3-cd)pyrene 193-39-5 3.4

K148
Residues from coal tar distillation, including, but not limited to, still bottoms.

Benz(a)anthracene 56-55-3 3.4
Benzo(a)pyrene 50-32-8 3.4
Benzo(b)fluoranthene 205-99-2 6.8
(difficult to distinguish from benzo-
(k)fluoranthene)
Benzo(k)fluoranthene 207-08-9 6.8
(difficult to distinguish from benzo-
(b)fluoranthene)
Chrysene 218-01-9 3.4
Dibenz(a,h)anthracene 53-70-3 8.2
Indeno(1,2,3-cd)pyrene 193-39-5 3.4

K149
Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillations of benzyl chloride.)

Chlorobenzene 108-90-7 6.0
Chloroform 67-66-3 6.0
Chloromethane 74-87-3 30
p-Dichlorobenzene 106-46-7 6.0
Hexachlorobenzene 118-74-1 10
Pentachlorobenzene 608-93-5 10

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1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14
Toluene	108-88-3	0.080	10

K150

Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Chloromethane	74-87-3	0.19	30
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14
1,1,2,2-Tetrachloro- ethane	79-34-5	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19

K151

Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Benzene	71-43-2	0.14	10
Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14
Tetrachloroethylene	127-18-4	0.056	6.0
Toluene	108-88-3	0.080	10

P001

Warfarin, & salts, when present at concentrations greater than 0.3%

Warfarin	81-81-2	(WETOX or CHOXD) fb	CMBST
		CARBN; or INCIN	

P002

1-Acetyl-2-thiourea	591-08-2	(WETOX or CHOXD) fb	INCIN
1-Acetyl-2-thiourea			

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CARBN; or
INCIN

P003 Acrolein	107-02-6	0.29	CMBST
P004 Aldrin	309-00-2	0.021	0.068
P005 Allyl alcohol	107-18-6	(WETOX or CHOXD) fb	CMBST
Allyl alcohol		CARBN; or INCIN	

P006

Aluminum phosphide
Aluminum phosphide

20859-73-6	CHOXD;CHRED; or INCIN	CHOXD;CHRED; or INCIN
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P007

5-Aminomethyl-3-
isoxazolol
5-Aminomethyl-3-isoxa-
zolol

2763-96-4	(WETOX or CHOXD) fb	INCIN
	CARBN; or INCIN	

P008

4-Aminopyridine
4-Aminopyridine

504-24-5	(WETOX or CHOXD) fb	INCIN
	CARBN; or INCIN	

P009

Ammonium picrate
Ammonium picrate

131-74-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
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P010

Arsenic acid
Arsenic

7440-38-2	1.4	5.0 mg/l TCLP
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P011	Arsenic pentoxide	2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	2.5
Arsenic	7440-38-2	2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	0.066
	1.4	phenol (Dinoseb)	
	5.0 mg/l TCLP		
P012	Arsenic trioxide	P021	
Arsenic	7440-38-2	Calcium cyanide	
	1.4	Cyanides (Total)(7)	1.2
	5.0 mg/l TCLP	Cyanides (Amenable)(7)	0.86
P013	Barium cyanide	P022	
Barium	7440-39-3	Carbon disulfide	
Cyanides (Total)(7)	57-12-5	Carbon disulfide	3.8
Cyanides (Amendable)(7)	57-12-5	Carbon disulfide; alternate(6) standard for nonwastewaters only	NA
P014	Thiophenol (Benzene thiol)	P023	
Thiophenol (Benzene thiol)	108-98-5	Chloroacetaldehyde	
	(WETOX or CHOXD) fb	Chloroacetaldehyde	107-20-0
	CARBN; or INCIN		(WETOX or CHOXD) fb
P015	Beryllium dust		CARBN; or INCIN
Beryllium	7440-41-7	P024	
	RMETL; or RTHRM	p-Chloroaniline	
	RMETL; or RTHRM	p-Chloroaniline	106-47-8
P016	Dichloromethyl ether (Bis(chloromethyl)ether)	P026	
Dichloromethyl ether	542-88-1	1-(o-Chlorophenyl)thiourea	
	(WETOX or CHOXD) fb	1-(o-Chlorophenyl)thiourea	5344-82-1
	CARBN; or INCIN	urea	
P017	Bromoacetone	P027	
Bromoacetone	598-31-2	3-Chloropropionitrile	
	(WETOX or CHOXD) fb	3-Chloropropionitrile	542-76-7
	CARBN; or INCIN		(WETOX or CHOXD) fb
P018	Brucine		CARBN; or INCIN
Brucine	357-57-3	P028	
	(WETOX or CHOXD) fb	Benzyl chloride	
	CARBN; or INCIN	Benzyl chloride	100-44-7
P020			(WETOX or CHOXD) fb
			CARBN; or INCIN
			INCIN

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2,4-Dinitrophenol	51-28-5	0.12	160	
P049				
Dithiobiuret				
Dithiobiuret	541-53-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P050				
Endosulfan				
Endosulfan I	939-98-8	0.023	0.066	
Endosulfan II	33213-6-5	0.029	0.13	
Endosulfan sulfate	1031-07-9	0.029	0.13	
P051				
Endrin	72-20-8	0.0028	0.13	
Endrin	7421-93-4	0.025	0.13	
Endrin aldehyde				
P054				
Aziridine				
Aziridine	151-56-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P056				
Fluorine				
Fluoride (measured in wastewaters only)	16964-48-8	35	ADGAS fb NEUTR	
P057				
Fluoroacetamide				
Fluoroacetamide	640-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P058				
Fluoroacetic acid, sodium salt				
Fluoroacetic acid, sodium salt	62-74-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P059				
Heptachlor				

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Heptachlor	76-44-8	0.0012	0.066	
Heptachlor epoxide	1024-57-3	0.016	0.066	
P060				
Isodrin				
Isodrin	465-73-6	0.021	0.066	
P062				
Hexaethyl tetraphosphate				
Hexaethyl tetraphosphate	757-58-4	CARBN; or INCIN	CMBST	
P063				
Hydrogen cyanide				
Cyanides (Total)(7)	57-12-5	1.2	590	
Cyanides (Amenable)(7)	57-12-5	0.86	30	
P064				
Isocyanic acid, ethyl ester				
Isocyanic acid, ethyl ester	624-83-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
P065				
P065 (mercury fulminate)				
Mercury	7439-97-6	NA	IMERC	
P065				
P065 (mercury fulminate)				
Mercury	7339-97-6	RMERC		
P065				
P065 (mercury fulminate)				
Mercury	7439-97-6	NA	0.20 mg/l TCLP	
P065				
P065 (mercury fulminate)				
Mercury	7439-97-6	NA		
P065				
P065 (mercury fulminate)				
Mercury	7439-97-6	NA	0.025 mg/l TCLP	
P065				

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All P065 (mercury fulminate) wastewaters. Mercury	7439-97-6	0.15	NA				
P066 Methomyl Methomyl	16752-77-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
P067 2-Methyl-aziridine 2-Methyl-aziridine	75-55-8	(WETOX or CHOXD fb CARBN; or INCIN	INCIN				
P068 Methyl hydrazine Methyl hydrazine	60-34-4	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED, or CMBST				
P069 2-Methyl-lactonitrile 2-Methyl-lactonitrile	75-86-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
P070 Aldicarb Aldicarb	116-06-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
P071 Methyl parathion Methyl parathion	298-00-0	0.014	4.6				
P072 1-Naphthyl-2-thiourea 1-Naphthyl-2-thiourea	86-88-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN				
P073 Nickel carbonyl Nickel	7440-02-0	3.98					5.0 mg/l TCLP
P074 Nickel cyanide Cyanides (Total)(7) Cyanides (Amenable)(7) Nickel	57-12-5 57-12-5 7440-02-3	1.2 0.86 3.98					590 30 5.0 mg/l TCLP
P075 Nicotine and salts Nicotine and salts	54-11-5	(WETOX or CHOXD) fb CARBN; or INCIN					INCIN
P076 Nitric oxide Nitric oxide	10102-43-9	ADGAS	ADGAS				ADGAS
P077 p-Nitroaniline p-Nitroaniline	100-01-6	0.028					28
078 Nitrogen dioxide Nitrogen dioxide	10102-44-0	ADGAS	ADGAS				ADGAS
P081 Nitroglycerin Nitroglycerin	55-63-0	CHOXD; CHRED; CARBN; BIODG or INCIN					CHOXD; CHRED; or CMBST
P082 N-Nitrosodimethylamine N-Nitrosodimethylamine	62-75-9	0.40					2.3
P084 N-Nitrosomethylvinylamine N-Nitrosomethylvinyl- amine	4549-40-0	(WETOX or CHOXD) fb CARBN; or INCIN					INCIN
P085 Octamethylpyrophosphoramide							

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Octamethylpyrophosphor- amide	152-16-9	CARBN; or INCIN	CMBST
P087			
Osmium tetroxide	20816-12-0	RMETL; or RTHRM	RMETL; or RTHRM
Osmium tetroxide			
P088			
Endothall	145-73-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
Endothall			
P089			
Parathion	56-38-2	0.014	4.6
Parathion			
P092			
P092 (phenyl mercuric acetate) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.			
Mercury	7439-97-6	NA	IMERC; or RMERC
P092			
P092 (phenyl mercuric acetate) nonwastewaters that are either incinerator residues or are residues from RMERC; and still contain greater than or equal to 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	RMERC
P092			
P092 (phenyl mercuric acetate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	0.20 mg/l TCLP
P092			
P092 (phenyl mercuric acetate) nonwastewaters that are incinerator residues and contain less than 260 mg/kg total mercury.			
Mercury	7439-97-6	NA	0.025 mg/l TCLP
P092			
All P092 (phenyl mercuric acetate) wastewaters.			
Mercury	7439-97-6	0.15	NA
P093			

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Phenylthiourea	103-85-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
Phenylthiourea			
P094			
Phorate	298-02-2	0.021	4.6
Phorate			
P095			
Phosgene	75-44-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
Phosgene			
P096			
Phosphine	7803-51-2	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
Phosphine			
P097			
Famphur	52-85-7	0.017	15
Famphur			
P098			
Potassium cyanide	57-12-5	1.2	590
Cyanides (Total)(7)	57-12-5	0.86	30
Cyanides (Amenable)(7)			
P099			
Potassium silver cyanide	7440-22-4	0.43	0.30mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Silver			
P101			
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
Ethyl cyanide (Propanenitrile)			
P102			
Propargyl alcohol	107-19-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
Propargyl alcohol			

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P103 Selenourea Selenium	7782-49-2	1.82	0.16 mg/l TCLP
P104 Silver cyanide			
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Silver	7440-22-4	0.43	0.30 mg/l TCLP
P105 Sodium azide			
Sodium azide	26628-22-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
P106 Sodium cyanide			
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
P108 Strychnine and salts			
Strychnine and salts	57-24-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P109 Tetraethyldithiopyrophosphate			
Tetraethyldithiopyro- phosphate	3689-24-5	CARBN; or INCIN	CMBST
P110 Tetraethyl lead			
lead	7439-92-1	0.69	0.37 mg/l TCLP
P111 Tetraethylpyrophosphate			
Tetraethylpyrophosphate	107-49-3	CARBN; or INCIN	CMBST
P112 Tetranitromethane			
Tetranitromethane	509-14-8	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST

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P113 Thallic oxide			
Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
P114 Thallium selenite			
Selenium	7782-49-2	0.82	0.16mg/l TCLP
P115 Thallium (I) sulfate			
Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
P116 Thiosemicarbazide			
Thiosemicarbazide	79-19-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P118 Trichloromethanethiol			
Trichloromethanethiol	75-70-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
P119 Ammonium vanadate			
Vanadium (measured in wastewaters only)	7440-62-2	4.3	STABL
P120 Vanadium pentoxide			
Vanadium (measured in wastewaters only)	7440-62-2	4.3	STABL
P121 Zinc cyanide			
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
P122 Zinc phosphide Zn(l)P[2], when present at concentrations greater than 10%			
Zinc Phosphide	1314-84-7	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

U009 Acrylonitrile Acrylonitrile	107-13-1	0.24	84	CARBN; or INCIN
U010 Mitomycin C Mitomycin C	50-07-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U011 Amitrole Amitrole	61-82-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U012 Aniline Aniline	62-53-3	0.81	14	
U014 Auramine Auramine	492-80-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U015 Azaserine Azaserine	115-02-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U016 Benz(c)acridine Benz(c)acridine	225-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U017 Benzal chloride				

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

U001 Acetaldehyde Acetaldehyde	75-07-0	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	
U002 Acetone Acetone	67-64-1	0.28	160	
U003 Acetonitrile Acetonitrile Acetonitrile; alternate(6) standard for nonwastewaters only	75-05-8 5-05-8	5.6 NA	INCIN 1.8	
U004 Acetophenone Acetophenone	98-86-2	0.010	9.7	
U005 2-Acetylaminofluorene 2-Acetylaminofluorene	53-96-3	0.059	140	
U006 Acetyl chloride Acetyl chloride	75-36-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U007 Acrylamide Acrylamide	79-06-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U008 Acrylic acid Acrylic acid	79-10-7	(WETOX or CHOXD) fb	CMBST	

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Benzal chloride 98-87-3 (WETOX or CHOXD) fb INCIN

U018

Benz(a)anthracene

Benz(a)anthracene

3.4

0.059

U-19

Benzene

71-43-2

0.14

1.0

U020

Benzenesulfonyl chloride

Benzenesulfonyl chloride 98-09-9

INCIN

(WETOX or CHOXD) fb

CAREN; or

INCIN

U021

Benzidine

Benzidine

92-87-5

(WETOX or CHOXD) fb

CAREN; or

INCIN

INCIN

U022

Benzo(a)pyrene

Benzo(a)pyrene

50-32-8

0.061

3.4

U023

Benzotrithloride

Benzotrithloride

98-07-7

CHOXD; CHRED;

CAREN; BIODG;

or INCIN

CHOXD; CHRED;

or CMBST

U024

bis(2-Chloroethoxy)methane

bix(2-Chloroethoxy)-

methane

111-91-1

0.036

7.2

U025

bis(2-Chloroethyl)ether

bis(2-Chloroethyl)ether

111-44-4

0.033

6.0

U026

Chlornaphazine

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Chlornaphazine 494-03-1 (WETOX or CHOXD) fb INCIN

U027

bis(2-Chloroisopropyl)ether

bis(2-Chloroisopropyl) ether

0.055

7.2

U028

bis(2-Ethylhexyl)phthalate

bis(2-Ethylhexyl)-

phthalate

117-81-7

0.28

28

U029

Methyl bromide (Bromomethane)

Methyl bromide (Bromo-

methane)

74-83-9

0.11

15

U030

4-Bromophenyl phenyl ether

4-Bromophenyl phenyl ether

101-55-3

0.055

15

U031

n-Butyl alcohol

n-Butyl alcohol

71-36-3

5.6

2.6

U032

Calcium chromate

Chromium (Total)

7440-47-3

2.77

0.86 mg/l TCLP

U033

Carbon oxyfluoride

Carbon oxyfluoride

353-50-4

(WETOX or CHOXD) fb

CAREN; or

INCIN

INCIN

U034

Trichloroacetaldehyde (Chloral)

Trichloroacetaldehyde

(Chloral)

75-87-6

(WETOX or CHOXD) fb

CAREN; or

INCIN

INCIN

U035

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Chlorambucil Chlorambucil	305-03-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U036 Chlordane	57-74-9	0.0033	0.26
Chlordane (alpha and gamma isomers)			
U037 Chlorobenzene	108-90-7	0.057	6.0
U038 Chlorobenzilate Chlorobenzilate	510-15-6	0.10	INCIN
U039 p-Chloro-m-cresol p-Chloro-m-cresol	59-50-7	0.018	14
U041 Epichlorohydrin (1- Chloro-2,3-epoxypropane) Epichlorohydrin (1- Chloro-2,3-epoxypropane)	106-89-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U042 2-Chloroethyl vinyl ether 2-Chloroethyl vinyl ether	110-75-8	0.062	INCIN
U043 Vinyl chloride Vinyl chloride	75-01-4	0.27	6.0
U044 Chloroform Chloroform	67-66-3	0.046	6.0
U045 Chloromethane (Methyl chloride) Chloromethane (Methyl	74-87-3	0.19	30

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

chloride)			
U046 Chloromethyl methyl ether Chloromethyl methyl ether	107-30-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U047 2-Chloronaphthalene 2-Chloronaphthalene	91-58-7	0.055	5.6
U048 2-Chlorophenol 2-Chlorophenol	95-57-8	0.044	5.7
U049 4-Chloro-o-toluidine hydrochloride 4-Chloro-o-toluidine hydrochloride	3165-93-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U050 Chrysene Chrysene	218-01-9	0.059	3.4
U051 Creosote Naphthalene Pentachlorophenol Phenanthrene Pyrene Toluene Xylenes-mixed isomers (sum of o-, m-, and p- xylene concentrations) Lead	91-20-3 87-86-5 85-01-8 129-00-0 108-88-3 1330-20-7 7439-92-1	0.059 0.089 0.059 0.067 0.080 0.32 0.69	5.6 7.4 5.6 8.2 10 30 0.37 mg/l TCLP
U052 Cresols (Cresylic acid) o-Cresol m-Cresol (difficult to distinguish from p- cresol) p-Cresol (difficult to	95-48-7 108-39-4 106-44-5	0.11 0.77 0.77	5.6 5.6 5.6

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

distinguish from m-cresol)
Cresol-mixed isomers
(Cresylic acid)
(sum of o-, m-, and p-cresol concentrations)

11.2

0.88

U053

Crotonaldehyde
Crotonaldehyde

4170-30-3

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U055

Cumene
Cumene

98-82-8

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U056

Cyclohexane
Cyclohexane

110-82-7

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U057

Cyclohexanone
Cyclohexanone
Cyclohexanone;
alternate(6) standard
for nonwastewaters only

108-94-1
108-94-1

0.36
NA

CMBST
0.75 mg/l TCLP

U058

Cyclophosphamide
Cyclophosphamide

50-18-0

CARBN; or
INCIN

CMBST

U059

Daunomycin
Daunomycin

20830-81-3

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U060

Di-n-butyl phthalate
Di-n-butyl phthalate

84-74-2

0.057

28

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

DDD
o,p'-DDD
p,p'-DDD

53-19-0
72-54-8

0.023
0.023

0.087
0.087

U061

DDT
o,p'-DDT
p,p'-DDT

789-02-6
50-29-3

0.0339
0.0039

0.087
0.087

o,p'-DDD
p,p'-DDD
o,p'-DDE
p,p'-DDE

53-19-0
72-54-8
3424-82-6
72-55-3

0.023
0.023
0.031
0.031

0.087
0.087
0.087
0.087

U062

Diallate
Diallate

2303-16-4

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U063

Dibenz(a,h)anthracene
Dibenz(a,h)anthracene

53-70-3

0.055

8.2

U064

Dibenz(a,i)pyrene
Dibenz(a,i)pyrene

189-55-9

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U066

1,2-Dibromo-3-chloro-
propane 1,2-Dibromo-30
chloropropane

96-12-8

0.11

15

U067

Ethylene dibromide (1,2-Dibromoethane)
Ethylene dibromide (1,2-
Dibromoethane)

106-93-4

0.028

15

U068

Dibromoethane
Dibromomethane

74-95-3

0.11

15

U069

Di-n-butyl phthalate
Di-n-butyl phthalate

84-74-2

0.057

28

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

U090 Dihydrosafrole Dihydrosafrole	94-58-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U091 3,3'-Dimethoxybenzidine 3,3'-Dimethoxybenzidine	119-90-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U092 Dimethylamine Dimethylamine	124-40-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U093 p-Dimethylaminoazobenzene p-Dimethyl- aminoazobenzene	60-11-7	0.13	INCIN
U094 7,12-Dimethylbenz(a) anthracene 7,12-Dimethylbenz(a)- anthracene	57-97-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U095 3,3'-Dimethylbenzidine 3,3'-Dimethylbenzidine	119-93-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U096 alpha, alpha-Dimethyl benzyl hydroperoxide alpha, alpha-Dimethyl benzyl hydroperoxide	80-15-9	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U097			

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED AMENDMENTS

Dimethylcarbamoyl chloride Dimethylcarbamoyl chloride	79-44-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U098 1,1-Dimethylhydrazine 1,1-Dimethylhydrazine	57-14-7	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U099 1,2-Dimethylhydrazine 1,2-Dimethylhydrazine	540-73-3	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U101 2,4-Dimethylphenol 2,4-Dimethylphenol	105-67-9	0.036	14
U102 Dimethyl phthalate Dimethyl phthalate	131-11-3	0.047	28
U103 Dimethyl sulfate Dimethyl sulfate	77-78-1	CHOXD; CHRED; CARBN; BIODG; or INCIN	CHOXD; CHRED; or CMBST
U105 2,4-Dinitrotoluene 2,4-Dinitrotoluene	121-14-2	0.32	140
U106 2,6-Dinitrotoluene 2,6-Dinitrotoluene	606-20-2	0.55	28
U107 Di-n-octyl phthalate Di-n-octyl phthalate	117-84-0	0.017	28
U108 1,4-Dioxane 1,4-Dioxane	123-91-1	(WETOX or CHOXD) fb	CMBST

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U109	1,4-Dioxane; alternate (6) standard for nonwastewaters only	123-91-1	CARN; or INCIN NA	170	INCIN
U110	1,2-Diphenylhydrazine	122-66-7	CHOXD; CHRED; CARN; BIODG; or INCIN 0.087	CHOXD; CHRED; or CMBST	INCIN
U111	1,2-Diphenylhydrazine; alternate(6) standard for wastewaters only	122-66-7	NA	NA	NA
U112	Dipropylamine	142-84-7	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN
U113	Di-n-propylnitrosamine	621-64-7	0.40	14	INCIN
U114	Ethyl acetate	141-78-8	0.34	33	INCIN
U115	Ethyl acrylate	140-88-8	(WETOX or CHOXD) fb CARN; or INCIN	CMBST	INCIN
U116	Ethylenebisdithiocarb- amic acid salts and esters	111-54-6	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	CMBST
U117	Ethylene oxide	75-21-8	(WETOX or CHOXD) fb CARN; or INCIN	CHOXD; or	CMBST
U118	Ethylene oxide; alternate(6) standard for wastewaters only	75-21-8	0.12	0.12	INCIN
U119	Ethyl ether	60-29-7	0.12	0.12	INCIN
U120	Ethyl methacrylate	97-63-2	0.14	0.14	INCIN
U121	Ethyl methane sulfonate	62-50-0	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN
U122	Fluoranthene	206-44-0	0.068	0.068	INCIN
U123	Trichloromonofluoromethane	75-69-4	0.020	0.020	INCIN
U124	Formaldehyde	50-00-0	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN
U125	Formic acid	64-18-6	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U109	1,4-Dioxane; alternate (6) standard for nonwastewaters only	123-91-1	CARN; or INCIN NA	170	INCIN
U110	1,2-Diphenylhydrazine	122-66-7	CHOXD; CHRED; CARN; BIODG; or INCIN 0.087	CHOXD; CHRED; or CMBST	INCIN
U111	1,2-Diphenylhydrazine; alternate(6) standard for wastewaters only	122-66-7	NA	NA	NA
U112	Dipropylamine	142-84-7	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN
U113	Di-n-propylnitrosamine	621-64-7	0.40	14	INCIN
U114	Ethyl acetate	141-78-8	0.34	33	INCIN
U115	Ethyl acrylate	140-88-8	(WETOX or CHOXD) fb CARN; or INCIN	CMBST	INCIN
U116	Ethylenebisdithiocarb- amic acid salts and esters	111-54-6	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	CMBST
U117	Ethylene oxide	75-21-8	(WETOX or CHOXD) fb CARN; or INCIN	CHOXD; or	CMBST
U118	Ethylene oxide; alternate(6) standard for wastewaters only	75-21-8	0.12	0.12	INCIN
U119	Ethyl ether	60-29-7	0.12	0.12	INCIN
U120	Ethyl methacrylate	97-63-2	0.14	0.14	INCIN
U121	Ethyl methane sulfonate	62-50-0	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN
U122	Fluoranthene	206-44-0	0.068	0.068	INCIN
U123	Trichloromonofluoromethane	75-69-4	0.020	0.020	INCIN
U124	Formaldehyde	50-00-0	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN
U125	Formic acid	64-18-6	(WETOX or CHOXD) fb CARN; or INCIN	INCIN	INCIN

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

CHOXD) fb
CARBN; or
INCIN

U124

Furan

Furan

110-00-9

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U125

Furfural

Furfural

98-01-1

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U126

Glycidylaldehyde

Glycidylaldehyde

765-34-4

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U127

Hexachlorobenzene

Hexachlorobenzene

118-74-1

0.055

10

U128

Hexachlorobutadiene

Hexachlorobutadiene

87-68-3

0.055

5.6

U129

Lindane

alpha-BHC

beta-BHC

delta-BHC

gamma-BHC (Lindane)

319-84-6

319-85-7

319-86-8

58-89-9

0.00014

0.00014

0.023

0.0017

0.066

0.066

0.066

0.066

U130

Hexachlorocyclopentadiene

Hexachlorocyclopenta-

diene

77-47-4

0.057

2.4

U131

Hexachloroethane

Hexachloroethane

67-72-1

0.055

30

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U132
Hexachlorophene
Hexachlorophene

70-30-4

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U133

Hydrazine

Hydrazine

302-01-2

CHOXD; CHRED;
CARBN; BIODG;
or INCIN

CHOXD; CHRED;
or CMBST

U134

Hydrogen fluoride

Fluoride (measured in
wastewaters only)

16964-48-8

35

ADGAS fb
NEUTR; or
NEUTR

U135

Hydrogen sulfide

Hydrogen sulfide

7783-06-4

CHOXD; CHRED;
or INCIN

CHOXD; CHRED;
or INCIN

U136

Cacodylic acid

Arsenic

7440-38-2

1.4

5.0 mg/l TCLP

U137

Indeno(1,2,3-cd)pyrene

Indeno(1,2,3-cd)pyrene

193-39-5

0.0055

3.4

U138

Iodomethane

Iodomethane

74-88-4

0.19

65

U140

Isobutyl alcohol

Isobutyl alcohol

78-83-1

5.6

170

U141

Isosafrole

Isosafrole

120-58-1

0.081

2.6

U142

Kepone

Kepone

143-50-8

0.0011

0.13

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U143 Lasiocarpine Lasiocarpine	303-34-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U144 Lead acetate Lead	7439-92-1	0.69	0.37 mg/l TCLP		
U145 Lead phosphate Lead	7439-92-1	0.69	0.37 mg/l TCLP		
U146 Lead subacetate Lead	7439-92-1	0.69	0.37 mg/l TCLP		
U147 Maleic anhydride Maleic anhydride	108-31-6	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST		
U148 Maleic hydrazide Maleic hydrazide	123-33-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U149 Malononitrile Malononitrile	109-77-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U150 Melphalan Melphalan	148-82-3	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U151 Methapyrilene					

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U151 (mercury) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury. Mercury	7439-97-6	NA	RMERC		
U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.					
Mercury	7439-97-6	NA	0.20 mg/l TCLP		
U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are not residues from RMERC only.					
Mercury	7439-97-6	NA	0.025 mg/l TCLP		
U151 All U151 (mercury) wastewater.					
Mercury	7439-97-6	0.15	NA		
U151 Element Mercury Contaminated with Radioactive Materials					
Mercury	7439-97-6	NA	AMLGM		
U152 Methacrylonitrile Methacrylonitrile	126-98-7	0.24	84		
U153 Methanethiol Methanethiol	74-93-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN		
U154 Methanol Methanol	67-56-1	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST		
Methanol; alternate(6) set of standards for both wastewaters and nonwastewaters	67-56-1	5.6	0.75 mg/l TCLP		
U155 Methapyrilene					

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

Methapyrilene 91-80-5 0.081 1.5

U156

Methyl chlorocarbonate

Methyl chlorocarbonate 79-22-1

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U157

3-Methylcholanthrene

3-Methylcholanthrene 56-49-5

0.0055

15

U158

4,4'-Methylene bis(2-chloroaniline)

4,4'-Methylene bis(2- 101-14-4

chloroaniline)

0.50

30

U159

Methyl ethyl ketone

Methyl ethyl ketone 78-93-3

0.28

36

U160

Methyl ethyl ketone peroxide

Methyl ethyl ketone 1338-23-4

peroxide

CHOXD; CHRED;
CARBN; BIODG;
or INCINCHOXD; CHRED;
or CMBST

U161

Methyl isobutyl ketone

Methyl isobutyl ketone 108-10-1

0.14

33

U162

Methyl methacrylate

Methyl methacrylate 80-62-6

0.14

160

U163

N-Methyl-N'-nitro-N-nitrosoquinidine

N-Methyl-N'-nitro-N- 70-25-7

nitrosoquinidine

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U164

Methylthiouracil

Methylthiouracil 56-04-2

(WETOX or
CHOXD) fb
CARBN; or

INCIN

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

INCIN

U165

Naphthalene

Naphthalene 91-20-3

0.059

5.6

U166

1,4-Naphthoquinone

1,4-Naphthoquinone 130-15-4

(WETOX or
CHOXD) fb
CARBN; or
INCIN

CMBST

U167

1-Naphthylamine

1-Naphthylamine 134-32-7

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U168

2-Naphthylamine

2-Naphthylamine 91-59-8

0.52

INCIN

U169

Nitrobenzene

Nitrobenzene 98-95-3

0.068

14

U170

p-Nitrophenol

p-Nitrophenol 100-02-7

0.12

29

U171

2-Nitropropane

2-Nitropropane 79-46-9

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U172

N-Nitrosodi-n-butylamine

N-Nitrosodi-n- 924-16-3

butylamine

0.40

17

U173

N-Nitrosodiethanolamine

N-Nitrosodiethanola- mine

1116-54-7

(WETOX or
CHOXD) fb

INCIN

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

U174 N-Nitrosodiethylamine N-Nitrosodiethylamine	55-18-5	0.40	CARB; or INCIN	28
U176 N-Nitroso-N-ethylurea N-Nitroso-N-ethylurea	759-73-9	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U177 N-Nitroso-N-methylurea N-Nitroso-N-methylurea	684-93-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U178 N-Nitroso-N-methylurethane N-Nitroso-N-methyl- urethane	615-53-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN	
U179 N-Nitrosopiperidine N-Nitrosopiperidine	100-75-4	0.013	35	
U180 N-Nitrosopyrrolidine N-Nitrosopyrrolidine	930-55-2	0.013	35	
U181 5-Nitro-o-toluidine 5-Nitro-o-toluidine	99-55-8	0.32	28	
U182 Paraldehyde Paraldehyde	123-63-7	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST	

U183

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Pentachlorobenzene Pentachlorobenzene	608-93-5	0.055	10
U184 Pentachloroethane Pentachloroethane	76-01-7	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
Pentachloroethane; alternate(s) standards for both wastewaters and nonwastewaters	76-01-7	0.055	6.0
U185 Pentachloronitrobenzene Pentachloronitrobenzene	82-68-8	0.055	4.8
U186 1,3-Pentadiene 1,3-Pentadiene	504-60-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U187 Phenacetin Phenacetin	62-44-2	0.081	16
U188 Phenol Phenol	108-95-2	0.039	6.2
U189 Phosphorus sulfide Phosphorus sulfide	1314-80-3	CHOXD; CHRED; or INCIN	CHOXD; CHRED; or INCIN
U190 Phthalic anhydride Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
U191 Phthalic anhydride 2-Picoline	85-44-9	0.055	28

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2-Picoline	109-06-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U192 Pronamide Pronamide	23950-58-5	0.093	1.5
U193 1,3-Propane sultone 1,3-Propane sultone	1120-71-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U194 n-Propylamine n-Propylamine	107-10-8	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U196 Pyridine Pyridine	110-86-1	0.014	16
U197 p-Benzoquinone p-Benzoquinone	106-51-4	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U200 Reserpine Reserpine	50-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U201 Resorcinol Resorcinol	108-46-3	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST

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U202 Saccharin and salts Saccharin	81-07-2	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U203 Safole Safole	94-59-7	0.081	22
U204 Selenium dioxide Selenium	7782-49-2	0.82	0.16 mg/l TCLP
U205 Selenium sulfide Selenium	7782-49-2	0.82	0.16 mg/l TCLP
U206 Streptozotocin Streptozotocin	18883-66-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U207 1,2,4,5-Tetrachlorobenzene 1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14
U208 1,1,1,2-Tetrachloroethane 1,1,1,2-Tetrachloro- ethane	630-20-6	0.057	6.0
U209 1,1,2,2-Tetrachloroethane 1,1,2,2-Tetrachloro- ethane	79-34-5	0.057	6.0
U210 Tetrachloroethylene Tetrachloroethylene	127-18-4	0.056	6.0
U211 Carbon tetrachloride Carbon tetrachloride	56-23-5	0.057	6.0

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U213 Tetrahydrofuran	109-99-9	(WETOX or CHOXD) fb CARBN; or INCIN	CMBST
U214 Thallium (I) acetate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U215 Thallium (I) carbonate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U216 Thallium (I) chloride Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U217 Thallium (I) nitrate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
U218 Thioacetamide Thioacetamide	62-55-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U219 Thiourea Thiourea	62-56-6	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U220 Toluene Toluene	108-88-3	0.080	10
U221 Toluenediamine Toluenediamine	25376-45-8	CARBN; or	CMBST

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U222 o-Toluidine hydrochloride o-Toluidine hydro- chloride	636-21-5	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U223 Toluene diisocyanate Toluene diisocyanate	26471-62-5	CARBN; or INCIN	CMBST
U225 Bromoform (Tribromomethane) Bromoform (Tribromo- methane)	75-25-2	0.63	15
U226 1,1,1-Trichloroethane 1,1,1-Trichloroethane	71-55-6	0.054	6.0
U227 1,1,2-Trichloroethane 1,1,2-Trichloroethane	79-00-5	0.054	6.0
U228 Trichloroethylene Trichloroethylene	79-01-6	0.054	6.0
U234 1,3,5-Trinitrobenzene 1,3,5-Trinitrobenzene	99-35-4	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN
U235 tris-(2,3-Dibromopropyl)-phosphate tris-(2,3-Dibromo- propyl)-phosphate	126-72-7	0.11	0.10
U236 Trypan Blue Trypan Blue	72-57-1	(WETOX or CHOXD) fb CARBN; or INCIN	INCIN

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INCIN

U237

Uracil mustard
Uracil mustard

66-75-1

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U238

Urethane (Ethyl carbamate)

Urethane (Ethyl
carbamate

51-79-6

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U239

Xylenes

Xylenes-mixed isomers
(sum of o-, m-, and p-
xylene concentrations)

1330-20-7

0.32

30

U240

2,4-D (2,4-Dichlorophenoxyacetic acid)

2,4-D (2,4-Dichloro-
phenoxyacetic acid)

94-75-7

0.72

10

INCIN

2,4-D (2,4-Dichloro-
phenoxyacetic acid)
salts and esters

(WETOX or
CARBN; or
CHOXD) fb
INCIN

U243

Hexachloropropylene

Hexachloropropylene

1888-71-7

0.035

30

U244

Thiram

Thiram

137-26-8

(WETOX or
CHOXD) fb
CARBN; or
INCIN

INCIN

U246

Cyanogen bromide

Cyanogen bromide

506-68-3

CHOXD; WETOX;
or INCIN

CHOXD; WETOX;
or INCIN

U247

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Methoxychlor
Methoxychlor

72-43-5

0.25

0.18

U248

Warfarin, & salts, when present at concentrations of 0.3% or less
Warfarin
(WETOX or
CHOXD) fb
CARBN; or
INCIN

U249

Zinc phosphide, Zn[3]p[2], when present at concentrations of 10% or less
Zinc Phosphide
1314-84-7
CHOXD; CHRED;
or INCIN

U328

o-Toluidine
o-Toluidine

95-53-4

INCIN; or
CHOXD fb
(BIODG or
CARBN); or
BIODG fb CARBN

INCIN; or
Thermal
Destruction

U353

p-Toluidine
p-Toluidine

1-6-49-0

INCIN; or
CHOXD fb
(BIODG or
CARBN); or
BIODG fb CARBN

INCIN; or
Thermal
Destruction

U359

2-Ethoxyethanol

2-Ethoxyethanol

110-80-5

INCIN; or
CHOXD fb
(BIODG or
CARBN); or
BIODG fb CARBN

CMBST

Notes:

1 The waste descriptions provided in this table do not replace waste descriptions in 35 Ill. Adm. Code 721. Descriptions of Treatment or Regulatory Subcategories are provided, as needed, to distinguish between applicability of different standards.

2 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts

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or esters, the CAS number is given for the parent compound only.

3 Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.

4 All treatment standards expressed as a Technology Code or combination of Technology Codes are explained in detail in 35 Ill. Adm. Code 728. Table C, "Technology Codes and Description of Technology-Based Standards". "fb" inserted between waste codes denotes "followed by", so that the first-listed treatment is followed by the second-listed treatment. "; " separates alternative treatment schemes.

5 Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724. Subpart O or 35 Ill. Adm. Code 725. Subpart O, or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 35 Ill. Adm. Code 728.140(d). All concentration standards for nonwastewaters are based on analysis of grab samples.

6 Where an alternate treatment standard or set of alternate standards has been indicated, a facility may comply with this alternate standard, but only for the Treatment or Regulatory Subcategory or physical form (i.e., wastewater and/or nonwastewater) specified for that alternate standard.

7 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical or Chemical Methods", USEPA 816--EPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

NA means not applicable.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 728. TABLE D Universal Treatment Standards (UTS)

Regulated Constituent- Common Name	CAS(1) No.	Wastewater Standard Concentration (in mg/l(2))	Nonwastewater Standard Concentration (in mg/kg(3)) unless noted as "mg/l TCLP"
Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	1.8
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylamide	79-06-1	19	23
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
bis(2-Chloro-ethoxy)methane	111-91-1	0.036	7.2
bis(2-Chloroethyl) ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0

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bis(2-Chloro-isopropyl)ether	108-60-1 39639-32-9	0.055	7.2
p-Chloro-m-cresol	59-50-7	0.018	14
2-Chloroethyl vinyl ether	110-75-8	0.062	NA
Chloromethane (Methyl chloride)	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6
2-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol (difficult to distinguish from p-cresol)	108-39-4	0.77	5.6
p-Cresol (difficult to distinguish from m-cresol)	106-44-5	0.77	5.6
Cyclohexanone	108-94-1	0.36	0.75mg/l TCLP
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
Ethylene dibromide 1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichloro-phenoxyacetic acid)	94-75-7	0.72	10
p,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087

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p,p'-DDE	72-55-9	0.031	0.087
o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-91	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-8	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14
2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28

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1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
p-Dimethylaminoazo-benzene	60-11-7	0.13	NA
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	NA	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	13
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	13
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan Sulfate	1-31-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10

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Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-9	0.12	NA
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloro-cyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepone	143-50-8	0.0011	0.13

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Methacrylonitrile	126-98-7	0.24	84	
Methanol	67-56-1	5.6	0.75 mg/l TCUP	
Methapyrilene	91-80-5	0.081	1.5	
Methoxychlor	72-43-5	0.25	0.18	
3-Methylcholanthrene	56-49-5	0.0055	15	
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30	
Methylene chloride	75-09-2	0.089	30	
Methyl ethyl ketone	78-93-3	0.28	36	
Methyl isobutyl ketone	108-10-1	0.14	33	
Methyl methacrylate	80-62-6	0.14	160	
Methyl methansulfonate	66-27-3	0.018	NA	
Methyl parathion	298-00-0	0.014	4.6	
Naphthalene	91-20-3	0.059	5.6	
2-Naphthylamine	91-59-8	0.52	NA	
o-Nitroaniline	88-74-4	0.27	14	
p-Nitroaniline	100-01-6	0.028	28	
Nitrobenzene	98-95-3	0.068	14	
5-Nitro-o-toluidine	99-55-8	0.32	28	
o-Nitrophenol	88-75-5	0.028	13	
p-Nitrophenol	100-02-7	0.12	29	
N-Nitrosodiethylamine	55-18-5	0.40	28	
N-Nitrosodimethylamine	62-75-9	0.40	2.3	
N-Nitroso-di-n-butyl-amine	924-16-3	0.40	14	

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N-Nitrosomethylethyl-amine	10595-95-6	0.40	2.3	
N-Nitrosomorpholine	59-89-2	0.40	2.3	
N-Nitrosopiperidine	100-75-4	0.013	35	
N-Nitrosopyrrolidine	930-55-2	0.013	35	
Parathion	56-38-2	0.014	4.6	
Total PCBs (sum of all PCB isomers, or all Aroclors)	1336-36-3	0.10	10	
Pentachlorobenzene	608-93-5	0.055	10	
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001	
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001	
Pentachloroethane	76-01-7	0.055	6.0	
Pentachloronitrobenzene	82-68-8	0.055	4.8	
Pentachlorophenol	87-86-5	0.089	7.4	
Phenacetin	62-44-2	0.081	16	
Phenanthrene	85-01-8	0.059	5.6	
Phenol	108-95-2	0.039	6.2	
Phorate	298-02-2	0.021	4.6	
Phthalic acid	100-21-0	0.055	28	
Phthalic anhydride	85-44-9	0.055	28	
Pronamide	23950-58-5	0.093	1.5	
Pyrene	129-00-0	0.067	8.2	
Pyridine	110-86-1	0.014	16	
Safrole	94-59-7	0.081	22	

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Silvex (2,4,5-TP)	93-72-1	0.72	7.9	1,2,3-Trichloropropane	96-18-4	0.85	30
2,4,5-T (2,4,5-Trichloro- phenoxyacetic acid)	93-76-5	0.72	7.9	1,1,2-Trichloro-1,2,2- trifluoroethane	76-13-1	0.057	30
1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14	tris-(2,3-Dibromopropyl) phosphate	126-72-7	0.11	0.10
TCDDs (All Tetrachloro- dibenzo-p-dioxins)	NA	0.000063	0.001	Vinyl chloride	75-01-4	0.27	6.0
TCDFs (All Tetrachloro- dibenzofurans)	NA	0.000063	0.001	Xylenes-mixed isomers sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30
1,1,1,2-Tetrachloro- ethane	630-20-6	0.057	6.0	Antimony	7440-36-0	1.9	2.1 mg/l TCLP
1,1,2,2-Tetrachloro- ethane	79-34-6	0.057	6.0	Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Tetrachloroethylene	127-18-4	0.056	6.0	Barium	7440-39-3	1.2	7.6 mg/l TCLP
2,3,4,6-Tetrachloro- phenol	58-90-2	0.030	7.4	Beryllium	7440-41-7	0.82	0.014 mg/l TCLP
Toluene	108-88-3	0.080	10	Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Toxaphene	8001-35-2	0.0095	2.6	Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Bromoform (Tribromo- methane)	75-25-2	0.63	15	Cyanides (Total)(4)	57-12-5	1.2	590
1,2,4-Trichlorobenzene	120-82-1	0.055	19	Cyanides (Amenable)(4)	57-12-5	0.86	30
1,1,1-Trichloroethane	71-55-6	0.054	6.0	Fluoride	16964-48-8	35	NA
1,1,2-Trichloroethane	79-00-5	0.054	6.0	Lead	7439-92-1	0.69	0.37 mg/l TCLP
Trichloroethylene	79-01-6	0.054	6.0	Mercury-Nonwastewater from Retort	7439-97-6	NA	0.20 mg/l TCLP
Trichloromonofluoro- methane	75-69-4	0.020	30	Mercury-All Others	7439-97-6	0.15	0.025 mg/l TCLP
2,4,5-Trichlorophenol	95-95-4	0.18	7.4	Nickel	7440-02-0	3.98	5.0 mg/l TCLP
2,4,6-Trichlorophenol	88-06-2	0.035	7.4	Selenium	7782-49-2	0.82	0.16 mg/l TCLP
				Silver	7440-22-4	0.43	0.30 mg/l TCLP
				Sulfide	8496-25-8	14	NA
				Thallium	7440-28-0	1.4	0.078 mg/l TCLP

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- Vanadium(5) 7440-62-2 4.3 0.23 mg/l TCLP
- Zinc(5) 7440-66-6 2.61 5.3 mg/l TCLP
- 1 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts or esters, the CAS number is given for the parent compound only.
 - 2 Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.
 - 3 Except for metals (EP or TCLP) and cyanides (total and amenable), the nonwastewater treatment standards expressed as a concentration were established, in part, based on incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 40 CFR 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.
 - 4 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA 816-R-84-010, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

5 Vanadium and zinc are not "underlying hazardous constituents" in characteristic wastes, according to the definition at Section 728.102(i).

Note: NA means not applicable.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: RCRA and UIC Permit Programs
 - 2) Code Citation: 35 Ill. Adm. Code 702
 - 3) Section Numbers: Proposed Action:
702.110 Amended
 - 4) Statutory Authority: 415 ILCS 5/22.4 and 27
 - 5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.
- This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

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By way of brief elaboration, the Board will summarize the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25623), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these

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amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/CIC regulations incorporate federal part 136 by reference at Section 20.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 30111), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C hazardous waste rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35152), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste

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generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 702 are based on the June 29, 1995 federal repeal of obsolete, redundant, and out-dated rules. USEPA removed the definitions of "interim authorization", "Phase I", and "Phase II" from 40 CFR 270.2 at that time.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No. Although Part 702 includes incorporations by reference, which are centrally listed at 35 Ill. Adm. Code 720.111, the present amendments do not update or amend those incorporations.

9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeaman, at 312-814-3620.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the

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Department of Commerce and Community Affairs: February 5, 1996

B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The present amendments should have no impact because they merely delete obsolete, redundant, and outdated provisions from the regulations.

C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The present amendments should have no impact because they merely delete obsolete, redundant, and outdated provisions from the regulations.

D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER b: PERMITS

PART 702

RCRA AND UIC PERMIT PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
702.101 Purpose, Scope, and Applicability
702.102 Purpose and Scope(Repealed)
702.103 Confidentiality of Information Submitted to the Agency or Board
702.104 References
702.105 Rulemaking
702.106 Adoption of Agency Criteria
702.107 Permit Appeals and Review of Agency Determinations
702.108 Variances and Adjusted Standards
702.109 Enforcement Actions
702.110 Definitions

SUBPART B: PERMIT APPLICATIONS

Section
702.120 Permit Application
702.121 Who Applies
702.122 Completeness
702.123 Information Requirements
702.124 Recordkeeping
702.125 Continuation of Expiring Permits
702.126 Signatories to Permit Applications and Reports

SUBPART C: PERMIT CONDITIONS

Section
702.140 Conditions Applicable to all Permits
702.141 Duty to Comply
702.142 Duty to Reapply
702.143 Need to Halt or Reduce Activity Not a Defense
702.144 Duty to Mitigate
702.145 Proper Operation and Maintenance
702.146 Permit Actions
702.147 Property Rights
702.148 Duty to Provide Information
702.149 Inspection and Entry
702.150 Monitoring and Records
702.151 Signature Requirements

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702.152 Reporting Requirements
702.160 Establishing Permit Conditions
702.161 Duration of Permits
702.162 Schedules of Compliance
702.163 Alternative Schedules of Compliance
702.164 Recording and Reporting

SUBPART D: ISSUED PERMITS

Section
702.181 Effect of a Permit
702.182 Transfer
702.183 Modification
702.184 Causes for Modification
702.185 Facility Siting
702.186 Revocation
702.187 Minor Modifications

AUTHORITY: Implementing Sections 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13, 22.4 and 27].

SOURCE: Adopted in R81-32, 47 PCB 93, at 6 Ill. Reg. 12479, effective May 17, 1982; amended in R82-19, at 53 PCB 131, 7 Ill. Reg. 14352, effective May 17, 1982; amended in R84-9 at 9 Ill. Reg. 11926, effective July 24, 1985; amended in R85-23 at 10 Ill. Reg. 13274, effective July 29, 1986; amended in R86-1 at 10 Ill. Reg. 14083, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6131, effective March 24, 1987; amended in R87-5 at 11 Ill. Reg. 19376, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2579, effective January 15, 1988; amended in R87-29 at 12 Ill. Reg. 6673, effective March 28, 1988; amended in R87-39 at 12 Ill. Reg. 13083, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18452, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3089, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6273, effective April 16, 1990; amended in R92-10 at 17 Ill. Reg. 5769, effective March 26, 1993; amended in R93-16 at 18 Ill. Reg. 6918, effective April 26, 1994; amended in R94-5 at 18 Ill. Reg. 18284, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9913, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL PROVISIONS

Section 702.110 Definitions

The following definitions apply to 35 Ill. Adm. Code 702, 703, 704, and 705. Terms not defined in this Section have the meaning given by the appropriate Act. When a defined term appears in a definition, the defined term is sometimes placed within quotation marks as an aid to readers. When a definition applies primarily to one or more programs, those programs appear in parentheses after the defined terms.

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"Act" or "Environment Protection Act" means the Environmental Protection Act [415 ILCS 5].

"Administrator" means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

"Agency" means the Illinois Environmental Protection Agency.

"Application" means the Agency forms for applying for a permit. For RCRA, application also includes the information required by the Agency under 35 Ill. Adm. Code 703.182 through 703.212 (contents of Part B of the RCRA application).

"Appropriate act and regulations" means the Resource Conservation and Recovery Act (RCRA); Safe Drinking Water Act (SDWA); or the Environmental Protection Act, whichever is applicable; and applicable regulations promulgated under those statutes.

"Approved program or approved State" means a State or interstate program that has been approved or authorized by EPA under 40 CFR 271 (1992) (RCRA) or Section 1422 of the SDWA (UIC).

"Aquifer" (RCRA and UIC) means a geological "formation", group of formations, or part of a formation that is capable of yielding a significant amount of water to a well or spring.

"Area of review" (UIC) means the area surrounding an injection well described according to the criteria set forth in 35 Ill. Adm. Code 730.106, or in the case of an area permit, the project area plus a circumscribing area the width of that is either 402 meters (1/4 of a mile) or a number calculated according to the criteria set forth in 35 Ill. Adm. Code 730.106.

"Board" means the Illinois Pollution Control Board.

"Closure" (RCRA) means the act of securing a "Hazardous Waste Management Facility" pursuant to the requirements of 35 Ill. Adm. Code 724.

"Component" (RCRA) means any constituent part of a unit or any group of constituent parts of a unit that are assembled to perform a specific function (e.g., a pump seal, pump, kiln liner, or kiln thermocouple).

"Contaminant" (UIC) means any physical, chemical, biological, or radiological substance or matter in water.

"Corrective action management unit" or "CAMU" means an area within a

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facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: USEPA H-S-BPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"CWA" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972), P.L. 92-500, as amended by P.L. 95-217 and P.L. 95-576; 33 U.S.C. 1251 et seq. (1992).

"Date of approval by USEPA H-S-BPA of the Illinois UIC program" means March 3, 1984.

"Director" means the Director of the Illinois Environmental Protection Agency or the Director's designee.

"Disposal" (RCRA) means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any "hazardous waste" into or on any land or water so that such hazardous waste or any constituent of the waste may enter the environment or be emitted into the air or discharged into any waters, including groundwater.

"Disposal Facility" (RCRA) means a facility or part of a facility at which "hazardous waste" is intentionally placed into or on the land or water, and at which hazardous waste will remain after closure. The term disposal facility does not include a corrective action management unit into which remediation wastes are placed.

"Draft Permit" means a document prepared under 35 Ill. Adm. Code 705.141 indicating the Agency's tentative decision to issue, deny, modify, terminate, or reissue a "permit". A notice of intent to deny a permit, as discussed in 35 Ill. Adm. Code 705.141, is a type of "draft permit". A denial of a request for modification, as discussed in 35 Ill. Adm. Code 705.128, is not a "draft permit". A "proposed permit" is not a "draft permit".

"Drilling Mud" (UIC) means a heavy suspension used in drilling an "injection well", introduced down the drill pipe and through the drill bit.

"Elementary neutralization unit" means a device which:

Is used for neutralizing wastes that are hazardous wastes only

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because they exhibit the corrosivity characteristics defined in 35 Ill. Adm. Code 721.122, or are listed in 35 Ill. Adm. Code 721.Subpart D only for this reason; and

Meets the definition of tank, tank system, container, transport vehicle or vessel in 35 Ill. Adm. Code 720.110.

"Emergency Permit" means a RCRA or UIC "permit" issued in accordance with 35 Ill. Adm. Code 703.221 or 704.163, respectively.

"Environmental Protection Agency" ("EPA" or "USEPA" "E-S-EPA") means the United States Environmental Protection Agency.

"Exempted aquifer" (UIC) means an "aquifer" or its portion that meets the criteria in the definition of "underground source of drinking water" but which has been exempted according to the procedures in 35 Ill. Adm. Code 702.105, 704.104, and 704.123(b).

"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility that was in operation or for construction commenced on or before November 19, 1980. A facility has commenced construction if:

The owner or operator has obtained the Federal, State, and local approvals or permits necessary to begin physical construction; and

Either:

A continuous on-site, physical construction program has begun; or

The owner or operator has entered into contractual obligations -- that cannot be cancelled or modified without substantial loss -- for physical construction of the facility to be completed within a reasonable time.

"Existing injection well" (UIC) means an "injection well" other than a "new injection well".

"Facility or activity" means any "HWM facility", UIC "injection well", or any other facility or activity (including land or appurtenances thereto) that is subject to regulations under the Illinois RCRA or UIC program.

"Facility mailing list" (RCRA) means the mailing list for a facility maintained by the Agency in accordance with 35 Ill. Adm. Code 705.163.

"Federal, State, and local approvals or permits necessary to begin

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physical construction" means permits and approvals required under Federal, State, or local hazardous waste control statutes, regulations, or ordinances. (See 35 Ill. Adm. Code 700.102.)

"Final authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management Program that has met the requirements of Section 3006(b) of RCRA and the applicable requirements of 40 CFR 271, Subpart A (1992). EPA granted initial final authorization on January 31, 1986.

"Fluid" (UIC) means any material or substance that flows or moves whether in a semisolid, liquid, sludge, gas, or any other form or state.

"Formation" (UIC) means a body of rock characterized by a degree of lithologic homogeneity that is prevailing, but not necessarily, tabular and is mappable on the earth's surface or traceable in the subsurface.

"Formation fluid" (UIC) means "fluid" present in a "formation" under natural conditions, as opposed to introduced fluids, such as "drilling mud".

"Functionally equivalent component" (RCRA) means a component that performs the same function or measurement and which meets or exceeds the performance specifications of another component.

"Generator" (RCRA) means any person, by site location, whose act or process produces "hazardous waste" identified or listed in 35 Ill. Adm. Code 721.

"Groundwater" (RCRA and UIC) means a water below the land surface in a zone of saturation.

"Hazardous Waste" (RCRA and UIC) means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste management facility" ("HWM facility") means all contiguous land and structures, other appurtenances, and improvements on the land, used for treating, storing, or disposing of "hazardous waste". A facility may consist of several "treatment", "storage", or "disposal" operational units (for example, one or more landfills, surface impoundments, or combinations of them).

"HWM facility" (RCRA) means "Hazardous Waste Management facility".

"Injection well" (RCRA and UIC) means a "well" into which "fluids" are being injected.

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"Injection zone" (UIC) means a geological "formation", group of formations, or part of a formation receiving fluids through a "well".

"In operation" (RCRA) means a facility that is treating, storing, or disposing of "hazardous waste".

"Interim authorization" (RCRA) means approval by EPA of the Illinois Hazardous Waste Management program that has met the requirements of Section 3006(g)(2)(F) of RCRA and applicable requirements of 40 CFR 271 (1992). This happened on May 17, 1982.

"Interstate agency" means an agency of two or more states established by or under an agreement or compact approved by the Congress, or any other agency of two or more states having substantial powers or duties pertaining to the control of pollution as determined and approved by the Administrator under the "appropriate Act and regulations".

"Major facility" means any RCRA or UIC "facility or activity" classified as such by the Regional Administrator or the Agency.

"Manifest" (RCRA and UIC) means the shipping document originated and signed by the "generator" that contains the information required by 35 Ill. Adm. Code 722.Subpart B.

"National Pollutant Discharge Elimination System" means the program for issuing, modifying, revoking and reissuing, terminating, monitoring, and enforcing permits and imposing and enforcing pretreatment requirements under Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.Subpart A and 310. The term includes an "approved program".

"New HWM facility" (RCRA) means a "Hazardous Waste Management facility" that began operation or for which construction commenced after November 19, 1980.

"New injection well" (UIC) means a "well" that began injection after the UIC program for the State of Illinois applicable to the well is approved.

"Off-site" (RCRA) means any site that is not "on-site".

"On-site" (RCRA) means on the same or geographically contiguous property that may be divided by public or private right(s)-of-way, provided the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along, the right(s)-of-way. Non-contiguous properties owned by the same person but connected by a right-of-way that the person controls and to which the public does not have access, is also

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considered on-site property.

"Owner or operator" means the owner or operator of any "facility or activity" subject to regulation under the RCRA or UIC programs.

"Permit" means an authorization, license, or equivalent control document issued to implement the requirements of this Part and 35 Ill. Adm. Code 703, 704, and 705.

"Permit" includes RCRA "permit by rule" (35 Ill. Adm. Code 703.141), UIC area permit (35 Ill. Adm. Code 704.162), and RCRA or UIC "Emergency Permit" (35 Ill. Adm. Code 703.221 and 704.163). "Permit" does not include RCRA interim status (35 Ill. Adm. Code 703.153 through 703.157), UIC authorization by rule (35 Ill. Adm. Code 704. Subpart C), or any permit that has not yet been the subject of final Agency action, such as a "Draft Permit" or a "Proposed Permit".

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agency, or assigns.

"Phase" means, as used in the corresponding federal regulations, the period of time commencing May 19, 1980, for the purposes, Phase I began on May 17, 1982.

"Phase" means, as used in the corresponding federal regulations, the period of time commencing May 19, 1980, for the purposes, Phase II commenced when U.S. EPA granted final authorization to the Agency to issue RCRA permits for any class of facility or unit, this occurred on January 31, 1986.

"Physical construction" (RCRA) means excavation, movement of earth, erection of forms or structures or similar activity to prepare an "HWM facility" to accept "hazardous waste".

"Plugging" (UIC) means the act or process of stopping the flow of water, oil, or gas into or out of a formation through a borehole or well penetrating that formation.

"POTW" means "publicly owned treatment works".

"Project" (UIC) means a group of wells in a single operation.

"Publicly owned treatment works" ("POTW") is as defined in 35 Ill. Adm. Code 310.

"Radioactive waste" (UIC) means any waste that contains radioactive

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material in concentrations that exceed those listed in 10 CFR 20, Appendix B, Table II, Column 2, incorporated by reference in 35 Ill. Adm. Code 720.111.

"RCRA" means the Solid Waste Disposal Act as amended by the Resource Conservation and Recovery Act of 1976 (P.L. 94-580, as amended by P.L. 95-609, P.L. 96-510, 42 U.S.C. 6901 et seq. (1992)). For the purposes of regulation under 35 Ill. Adm. Code 700 through 705, 720 through 728, and 739, "RCRA" refers only to RCRA Subtitle C. This does not include the RCRA Subtitle D (municipal solid waste landfill) regulations, found in 35 Ill. Adm. Code 810 through 815, and the RCRA Subtitle I (underground storage tank) regulations found in 35 Ill. Adm. Code 731 and 732.

"RCRA permit" means a permit required under Section 21(f) of the Environmental Protection Act.

"Regional Administrator" means the Regional Administrator for the EPA Region in which the facility is located or the Regional Administrator's designee.

"Schedule of compliance" means a schedule of remedial measures included in a "permit", including an enforceable sequence of interim requirements (for example, actions, operations, or milestone events) leading to compliance with the "appropriate Act and regulations".

"SDWA" means the Safe Drinking Water Act (P.L. 93-523, as amended, 42 U.S.C. 300f et seq. (1992)).

"Site" means the land or water area where any "facility or activity" is physically located or conducted, including adjacent land used in connection with the facility or activity.

"SIC Code" means codes pursuant to the Standard Industrial Classification Manual incorporated by reference in 35 Ill. Adm. Code 720.111.

"State" means the State of Illinois.

"State Director" means the Director of the Illinois Environmental Protection Agency.

"State/EPA Agreement" means an agreement between the Regional Administrator and the State that coordinates EPA and State activities, responsibilities, and programs including those under the RCRA and SDWA.

"Storage" (RCRA) means the holding of "hazardous waste" for a

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temporary period, at the end of which the hazardous waste is treated, disposed, or stored elsewhere.

"Stratum (plural strata)" (UIC) means a single sedimentary bed or layer, regardless of thickness, that consists of generally the same kind of rock material.

"Total dissolved solids" (UIC) means the total dissolved (filterable) solids as determined by use of the method specified in 40 CFR 136, incorporated by reference in 35 Ill. Adm. Code 720.111.

"Transfer facility" means any transportation related facility including loading docks, parking areas, storage areas, and other similar areas where shipments of hazardous wastes are held during the normal course of transportation.

"Transferee" (UIC) means the owner or operator receiving ownership or operational control of the well.

"Transferor" (UIC) means the owner or operator transferring ownership or operational control of the well.

"Transporter" (RCRA) means a person engaged in the off-site transportation of "hazardous waste" by air, rail, highway, or water.

"Treatment" (RCRA) means any method, technique, process, including neutralization, designed to change the physical, chemical, or biological character or composition of any "hazardous waste" so as to neutralize such wastes, or so as to recover energy or material resources from the waste, or so as to render such wastes non-hazardous, or less hazardous; safer to transport, store, or dispose of; or amenable for recovery, amenable for storage, or reduced in volume.

"UIC" means the Underground Injection Control program.

"Underground Injection" (UIC) means a "well injection".

"Underground source of drinking water" ("USDW") (RCRA and UIC) means an "aquifer" of its portion:

Which:

Supplies any public water system; or

Contains a sufficient quantity of groundwater to supply a public water system; and

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Currently supplies drinking water for human consumption; or
 Contains less than 10,000 mg/l total dissolved solids; and
 That is not an "exempted aquifer".

"USDW" (RCRA and UIC) means an "underground source of drinking water".

"Wastewater treatment unit" means a device which:

Is part of a wastewater treatment facility that is subject to regulation under 35 Ill. Adm. Code 309.Subpart A or 310; and

Receives and treats or stores an influent wastewater that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or generates and accumulates a wastewater treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater treatment sludge that is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

Meets the definition of tank or tank system in 35 Ill. Adm. Code 720.110.

"Well" (UIC) means a bored, drilled, or driven shaft, or a dug hole, whose depth is greater than the largest surface dimension.

"Well injection" (UIC) means the subsurface emplacement of "fluids" through a bored, drilled, or driven "well"; or through a dug well, where the depth of the dug well is greater than the largest surface dimension.

BOARD NOTE: Derived from 40 CFR 141.3 (1994) ~~7-as-amended-at-59-Ped-Reg-63895~~
~~6ecr-37-1993~~ and 270.2 (1994) ~~1992~~, as amended at 60 56 Fed. Reg. 33914
 (June 29, 1995) ~~8685-(Feb-187-1993)~~.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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1) Heading of the Part: RCRA Permit Program

2) Code Citation: 35 Ill. Adm. Code 703

3) Section Numbers: Proposed Action:

703.123 Amended

703.150 Amended

703.151 Amended

705.151 Amended

4) Statutory Authority: 415 ILCS 5/22.4 and 27

5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the

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Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the *City of Chicago* decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the

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Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/VIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC

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rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 703 are based on the June 29, 1995 federal repeal of obsolete, redundant, and out-dated rules the May 11, 1995 universal waste rules. USEPA amended 40 CFR 270.1(c)(2) on May 11, which corresponds with Section 703.123, and it amended 40 CFR 270.10(e), (f), and (g) on June 29, which correspond with Sections 703.150, 703.151, and 703.152. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date?: No
- 8) Do these proposed amendments contain incorporations by reference No
- 9) Are there any other amendments pending on this Part? No

- 10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620.

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- 12) Initial regulatory flexibility analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996
- B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. That aspect of the present amendments relating to the deletion of obsolete, redundant, and outdated provisions from the regulations should have no impact. The aspect related to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.
- C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. That aspect of the present amendments relating to the deletion of obsolete, redundant, and outdated provisions from the regulations should have no impact. The aspect related to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.
- D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER b: PERMITS

PART 703
RCRA PERMIT PROGRAM

SUBPART A: GENERAL PROVISIONS

Section
703.100 Scope and Relation to Other Parts
703.101 Purpose
703.110 References

SUBPART B: PROHIBITIONS

Section
703.120 Prohibitions in General
703.121 RCRA Permits
703.122 Specific Inclusions in Permit Program
703.123 Specific Exclusions from Permit Program
703.124 Discharges of Hazardous Waste
703.125 Reapplications
703.126 Initial Applications
703.127 Federal Permits (Repealed)

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

Section	Purpose and Scope	Existing HWM Facilities	Interim Status
703.140	Permits by Rule		
703.141	Application by Existing HWM Facilities		
703.150	Qualifications		
703.151	Application by New HWM Facilities		
703.152	Amended Part A Application		
703.153	Qualifying for Interim Status		
703.154	Prohibitions During Interim Status		
703.155	Changes During Interim Status		
703.156	Interim Status Standards		
703.157	Grounds for Termination of Interim Status		
703.158	Permits for Less Than an Entire Facility		
703.159	Closure by Removal		
703.160	Procedures for Closure Determination		

SUBPART D: APPLICATIONS

Section

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Section	Applications in General
703.180	Contents of Part A
703.181	Contents of Part B
703.182	General Information
703.183	Facility Location Information
703.184	Groundwater Protection Information
703.185	Exposure Information
703.186	Solid Waste Management Units
703.187	Other Information
703.188	Specific Part B Application Information
703.200	Containers
703.201	Tank Systems
703.202	Surface Impoundments
703.203	Waste Piles
703.204	Incinerators that Burn Hazardous Waste
703.205	Land Treatment
703.206	Landfills
703.207	Boilers and Industrial Furnaces Burning Hazardous Waste
703.208	Miscellaneous Units
703.209	Process Vents
703.210	Equipment
703.211	Drip Pads
703.212	Air Emission Controls for Tanks, Surface Impoundments, and Containers
703.213	

SUBPART E: SHORT TERM AND PHASED PERMITS

Section	Emergency Permits
703.221	Incinerator Conditions Prior to Trial Burn
703.222	Incinerator Conditions During Trial Burn
703.223	Incinerator Conditions After Trial Burn
703.224	Trial Burns for Existing Incinerators
703.225	Land Treatment Demonstration
703.230	Research, Development and Demonstration Permits
703.231	Permits for Boilers and Industrial Furnaces Burning Hazardous Waste
703.232	

SUBPART F: PERMIT CONDITIONS OR DENIAL

Section	Permit Denial
703.240	Establishing Permit Conditions
703.241	Noncompliance Pursuant to Emergency Permit
703.242	Monitoring
703.243	Notice of Planned Changes (Repealed)
703.244	Twenty-four Hour Reporting
703.245	Reporting Requirements
703.246	Anticipated Noncompliance
703.247	

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Section 703.123 Specific Exclusions from Permit Program

The following persons are among those who are not required to obtain a RCRA permit:

- a) Generators who accumulate hazardous waste on-site for less than the time periods provided in 35 Ill. Adm. Code 722.134;
 - b) Farmers who dispose of hazardous waste pesticides from their own use as provided in 35 Ill. Adm. Code 722.170;
 - c) Persons who own or operate facilities solely for the treatment, storage or disposal of hazardous waste excluded from regulations under this Part by 35 Ill. Adm. Code 721.104 or 721.105 (small generator exemption);
 - d) Owners or operators of totally enclosed treatment facilities as defined in 35 Ill. Adm. Code 720.110;
 - e) Owners and operators of elementary neutralization units or wastewater treatment units as defined in 35 Ill. Adm. Code 720.110;
 - f) Transporters storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less;
 - g) Persons adding absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) and persons adding waste to absorbent material in a container, provided that these actions occur at the time waste is first placed in the container; and 35 Ill. Adm. Code 724.117(b), 724.271 and 724.272 are complied with;
 - h) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that manages the wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.
- 1) Batteries, as described in 35 Ill. Adm. Code 733.102;
 - 2) Pesticides, as described in 35 Ill. Adm. Code 733.103; and
 - 3) Thermostats, as described in 35 Ill. Adm. Code 733.104.
- +BOARD NOTE: Derived from See 40 CFR 270.1(c)(2) (1994), as amended at 60 59 Fed. Reg. 25542 27165, May 11, 1995 July-197-1988.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

Section 703.150 Application by Existing HWM Facilities and Interim Status Qualifications

- a) The owner or operator of an existing HWM facility or of an HWM facility in existence on the effective date of statutory or regulatory amendments that render the facility subject to the requirement to have a RCRA permit must submit Part A of the permit application to the Agency no later than the following times, whichever comes first:
 - 1) Six months after the date of publication of regulations which

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SUBPART G: CHANGES TO PERMITS

- Section Transfer
- 703.260 Modification
- 703.270 Causes for Modification
- 703.271 Causes for Modification or Reissuance
- 703.272 Facility Siting
- 703.273 Permit Modification at the Request of the Permittee
- 703.280 Class 1 Modifications
- 703.281 Class 2 Modifications
- 703.282 Class 3 Modifications
- 703.283

APPENDIX A Classification of Permit Modifications

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14289, effective October 12, 1983; amended in R83-24 at 8 Ill. Reg. 206, effective December 27, 1983; amended in R84-9 at 9 Ill. Reg. 11899, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1110, effective January 2, 1986; amended in R85-23 at 10 Ill. Reg. 13284, effective July 28, 1986; amended in R86-1 at 10 Ill. Reg. 14093, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20702, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6121, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13543, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19383, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2584, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13069, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 447, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18477, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6278, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14492, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9616, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14554, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9767, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5774, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20794, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6898, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12392, effective July 29, 1994; amended in R94-5 at 18 Ill. Reg. 18316, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9920, effective June 27, 1995; amended at R95-20 at 20 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART B: PROHIBITIONS

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first require the owner or operator to comply with standards in 35 Ill. Adm. Code 725 or 726; or

2) Thirty days after the date the owner or operator first becomes subject to the standards in 35 Ill. Adm. Code 725 or 726; or

3) For generators which generate greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and treat, store or dispose of these wastes on-site, by March 24, 1987.

BOARD NOTE: Derived from 40 CFR 270.10(e)(1) (1994) and 370-11(b) (1991) amended at 56 Fed. Reg. 32688-7 July 17-1991.

b) In granting a variance under subsection (c), below, the Board will consider whether there has been substantial confusion as to whether the owner or operator of such facilities were required to file a Part A application and whether such confusion was attributable to ambiguities in 35 Ill. Adm. Code 720, 721 or 725.

BOARD NOTE: Derived from 40 CFR 270.10(e)(2) (1994 1998).

c) The time for filing Part A of the permit application may be extended only by a Board Order entered pursuant to a variance petition.

BOARD NOTE: Derived from 40 CFR 270.10(e)(3) (1994 1998).

d) The owner or operator of an existing HWM facility may be required to submit Part B of the permit application at any time after the effective date of standards in 35 Ill. Adm. Code 724 applicable to any HSB unit at the facility. The Agency will notify the owner or operator that a Part B application is required, and set a date for receipt of the application, not less than six months after the date the notice is sent. The owner or operator may voluntarily submit a Part B application for all or part of the HWM facility at any time. Notwithstanding the above, any owner or operator of an existing HWM facility must submit a Part B permit application in accordance with the dates specified in Section 703.157. Any owner or operator of a land disposal facility in existence on the effective date of statutory or regulatory amendments which render the facility subject to the requirement to have a RCRA permit must submit a Part B application in accordance with the dates specified in Section 703.157.

BOARD NOTE: Derived from 40 CFR 270.10(e)(4) (1994 1998), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

e) Interim status may be terminated as provided in Section 703.157.

BOARD NOTE: Derived from 40 CFR 270.10(e)(5) (1994 1998).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 703.151 Application by New HWM Facilities

a) Except as provided in subsection (c), no person shall begin physical construction of a new HWM facility without having submitted Part A and Part B of the permit application and having received a finally effective RCRA permit;

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b) An application for a permit for a new HWM facility (including both Part A and Part B) may be filed at any time after promulgation of standards in 35 Ill. Adm. Code 724 applicable to any TSD unit in the facility; Except as provided in subsection (c), all applications must be submitted to the Agency at least 180 days before physical construction is expected to commence;

c) Notwithstanding subsection (a), a person may construct a facility for the incineration of polychlorinated biphenyls pursuant to an approval issued by the Administrator of USEPA under Section (6)(e) of the Toxic Substances Control Act (42 U.S.C. 9601 et seq.) and any person owning or operating such a facility may, at any time after construction or operation of such facility has begun, file an application for a RCRA permit to incinerate hazardous waste authorizing such facility to incinerate waste identified or listed under 35 Ill. Adm. Code 721.

d) Such persons may continue physical construction of the HWM facility after the effective date of the standards applicable to it if the person submits Part B of the permit application on or before the effective date of such standards (or on some later date specified by the Agency.) Such person must not operate the HWM facility without having received a finally effective RCRA permit.

BOARD NOTE: Derived from Board Note--See 40 CFR 270.10(f)(1994), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 703.152 Amended Part A Application

a) If any owner or operator of an HWM facility has filed Part A of a permit application and has not yet filed Part B, the owner or operator shall file an amended Part A application with the Agency:

- 1) No later than the effective date of revised regulations under 35 Ill. Adm. Code 721 listing or identifying additional hazardous wastes, if the facility is treating, storing or disposing of any of those newly listed or identified wastes;
- 2) As necessary to comply with provisions of Section 703.155 for changes during interim status.

b) The owner or operator of a facility who fails to comply with the updating requirements of subsection paragraph (a) does not receive interim status as to the wastes not covered by duly filed Part A applications.

BOARD NOTE: Derived from Board Note--See 40 CFR 270.10(g) (1994), as amended at 60 Fed. Reg. 33914 (June 29, 1995).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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1) Heading of the Part: Standards Applicable to Generators of Hazardous Waste

2) Code Citation: 35 Ill. Adm. Code 722

3) Section Numbers: Proposed Action:

722.110 Amended
722.111 Amended

4) Statutory Authority: 415 ILCS 5/22.4 and 27

5) A complete description of the subjects and issues involved:

A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent

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federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

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On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the

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Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC

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rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 722 result from the federal universal waste rules of May 11, 1995. They allow the generator to use the quantity exclusions of 35 Ill. Adm. Code 721.105(c) in determining the applicability of the hazardous waste management standards of this Part to its activities. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives:

This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

11) Time, place and manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

POLLUTION CONTROL BOARD

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Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620.

12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

B) Types of small businesses affected:

The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. That aspect of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.

C) Reporting, bookkeeping or other procedures required for compliance:

The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. That aspect of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.

D) Types of professional skills necessary for compliance:

Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE G: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 722
STANDARDS APPLICABLE TO
GENERATORS OF HAZARDOUS WASTE

SUBPART A: GENERAL

Section	
722.120	Purpose, Scope and Applicability
722.121	Hazardous Waste Determination
722.122	US EPA Identification Numbers

SUBPART B: THE MANIFEST

Section	
722.129	General Requirements
722.130	Acquisition of Manifests
722.131	Number of Copies
722.132	Use of the Manifest

SUBPART C: PRE-TRANSPORT REQUIREMENTS

Section	
722.133	Packaging
722.134	Labeling
722.135	Marking
722.136	Placarding
722.137	Accumulation Time

SUBPART D: RECORD-KEEPING AND REPORTING

Section	
722.138	Recordkeeping
722.139	Annual Reporting
722.140	Exception Reporting
722.141	Additional Reporting
722.142	Special Requirements for Generators of between 100 and 1000 kilograms per month

SUBPART E: EXPORTS OF HAZARDOUS WASTE

Section	
722.150	Applicability
722.151	Definitions

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722.152 General Requirements
 722.153 Notification of Intent to Export
 722.154 Special Manifest Requirements
 722.155 Exception Report
 722.156 Annual Reports
 722.157 Recordkeeping

SUBPART F: IMPORTS OF HAZARDOUS WASTE

Section
 722.160 Imports of Hazardous Waste

SUBPART G: FARMERS

Section
 722.170 Farmers

APPENDIX A Hazardous Waste Manifest

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R84-9 at 9 Ill. Reg. 11950, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1131, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14112, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20709, effective December 2, 1986; amended in R86-46 at 11 Ill. Reg. 13555, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19392, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13129, effective July 29, 1988; amended in R89-16 at 13 Ill. Reg. 452, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18523, effective November 13, 1989; amended in R90-10 at 14 Ill. Reg. 16653, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9644, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14562, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in 92-1 at 16 Ill. Reg. 17696, effective November 6, 1992; amended in R93-4 at 17 Ill. Reg. 20822, effective November 22, 1993; amended in R95-6 at 19 Ill. Reg. 9935, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 722.110 Purpose, Scope and Applicability

- a) These regulations establish standards for generators of hazardous waste.

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- b) 35 Ill. Adm. Code 721.105(c) and (d) must be used to determine the applicability of provisions of this Part that are dependent on calculations of the quantity of hazardous waste generated per month.
- c) ~~b~~ A generator who treats, stores or disposes of hazardous waste on-site must only comply with the following Sections of this Part with respect to that waste: Section 722.111 for determining whether or not the generator has a hazardous waste, Section 722.112 for obtaining an EPA identification number, Section 722.140(c) and (d) for recordkeeping, Section 722.143 for additional reporting and, if applicable, Section 722.170 for farmers.
- d) ~~c~~ Any person who imports hazardous waste into the United States must comply with the standards applicable to generators established in this Part.
- e) ~~d~~ A farmer who generates waste pesticides which are hazardous waste and who complies with all of the requirements of Section 722.170 is not required to comply with other standards in this Part, or 35 Ill. Adm. Code 702, 703, 724, 725 or 728 with respect to such pesticides.
- f) ~~e~~ A person who generates a hazardous waste as defined by 35 Ill. Adm. Code 721 is subject to the compliance requirements and penalties prescribed in Title VIII and XII of the Environmental Protection Act if he does not comply with the requirements of this Part.
- g) ~~f~~ An owner or operator who initiates a shipment of hazardous waste from a treatment, storage or disposal facility must comply with the generator standards established in this Part.
- BOARD NOTE: The provisions of Section 722.134 are applicable to the on-site accumulation of hazardous waste by generators. Therefore, the provisions of Section 722.134 only apply to owners or operators who are shipping hazardous waste which they generated at that facility. A generator who treats, stores or disposes of hazardous waste on-site must comply with the applicable standards and permit requirements set forth in 35 Ill. Adm. Code 702, 703, 724, 725, 726 and 728.
- g) ~~35-III-Adm.-Code-799-contains-rules-on-application-of-other-Board-regulations.~~

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 722.111 Hazardous Waste Determination

- A person who generates a solid waste, as defined in 35 Ill. Adm. Code 721.102, shall determine if that waste is a hazardous waste using the following method:
- a) The person should first determine if the waste is excluded from regulation under 35 Ill. Adm. Code 721.104.
- b) The person should then determine if the waste is listed as a hazardous waste in 35 Ill. Adm. Code 721.Subpart D.
- BOARD NOTE: Even if a waste is listed, the generator still has an opportunity under 35 Ill. Code 720.122 to demonstrate that the waste from the generator's particular facility or operation is not a

POLLUTION CONTROL BOARD

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hazardous waste.

- c) For purposes of compliance with 35 Ill. Adm. Code 728, or if the waste is not listed as a hazardous waste in 35 Ill. Reg. Adm. Code 721.Subpart D, the generator shall then determine whether the waste is identified in 35 Ill. Adm. Code 721.Subpart C by either:

- 1) Testing the waste according to the methods set forth in 35 Ill. Adm. Code 721.Subpart C, or according to an equivalent method approved by the Board under 35 Ill. Adm. Code 720.121; or
 - 2) Applying knowledge of the hazard characteristic of the waste in light of the materials or the processes used.
- d) If the generator determines that the waste is hazardous, the generator shall refer to 35 Ill. Adm. Code 724, 725, and 728, and 733 for possible exclusions or restrictions pertaining to the management of the specific waste.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities
- 2) Code Citation: 35 Ill. Adm. Code 724
- 3) Section Numbers:
 724.101 Amended
 724.980 Amended
 724.989 Amended
- 4) Statutory Authority: 415 ILCS 5/22.4 and 27
- 5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act (415 ILCS 5/22.4(a)) provides that Section 5 of the Illinois Administrative Procedure Act (5 ILCS 100/5) shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay

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granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-346, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the City of Chicago decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

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POLLUTION CONTROL BOARD

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indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 724 are based on the federal actions of May 11, September 29, and November 13, 1995. The amendments of May 11, 1995 incorporate provisions dictating the interplay of applicability of the universal waste rules and the generally-applicable hazardous waste management standards. Those of September 29 and November 13, 1995 stay the deadline for compliance with the Subpart CC organic material emissions regulations applicable to tanks, containers, and surface impoundments. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? Yes. Although the existing text of Part 724 includes several incorporations by reference, no amendments to those references were necessary. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738 & 739. The present amendments to Section 720.111 incorporate the updated testing methods of SW-846 for use with Part 724.

- 9) Are there any other amendments pending on this Part? No

- 10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agreman, at 312-814-3620.

12) Initial regulatory flexibility analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

- B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. Those aspects of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. Those aspects relating to the stays of the Subpart CC organic material emission regulations could be considered as having either a positive effect or no effect, since the stays further delay the applicability of those rules.

- C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. Those aspects of the present amendments relating to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards. Those aspects relating to the stays of the Subpart CC organic material emission regulations could be considered as having either a positive effect or no effect, since the stays further delay the applicability of those rules.

- D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 724

STANDARDS FOR OWNERS AND OPERATORS OF
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A: GENERAL PROVISIONS

Section
724.101 Purpose, Scope and Applicability
724.103 Relationship to Interim Status Standards

SUBPART B: GENERAL FACILITY STANDARDS

Section
724.110 Applicability
724.111 Identification Number
724.112 Required Notices
724.113 General Waste Analysis
724.114 Security
724.115 General Inspection Requirements
724.116 Personnel Training
724.117 General Requirements for Ignitable, Reactive or Incompatible Wastes
724.118 Location Standards
724.119 Construction Quality Assurance Program

SUBPART C: PREPAREDNESS AND PREVENTION

Section
724.130 Applicability
724.131 Design and Operation of Facility
724.132 Required Equipment
724.133 Testing and Maintenance of Equipment
724.134 Access to Communications or Alarm System
724.135 Required Aisle Space
724.137 Arrangements with Local Authorities

SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section
724.150 Applicability
724.151 Purpose and Implementation of Contingency Plan
724.152 Content of Contingency Plan
724.153 Copies of Contingency Plan
724.154 Amendment of Contingency Plan

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724.155 Emergency Coordinator
724.156 Emergency Procedures

SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section
724.170 Applicability
724.171 Use of Manifest System
724.172 Manifest Discrepancies
724.173 Operating Record
724.174 Availability, Retention and Disposition of Records
724.175 Annual Report
724.176 Unmanifested Waste Report
724.177 Additional Reports

SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

Section
724.190 Applicability
724.191 Required Programs
724.192 Groundwater Protection Standard
724.193 Hazardous Constituents
724.194 Concentration Limits
724.195 Point of Compliance
724.196 Compliance Period
724.197 General Groundwater Monitoring Requirements
724.198 Detection Monitoring Program
724.199 Compliance Monitoring Program
724.200 Corrective Action Program
724.201 Corrective Action for Solid Waste Management Units

SUBPART G: CLOSURE AND POST-CLOSURE

Section
724.210 Applicability
724.211 Closure Performance Standard
724.212 Closure Plan; Amendment of Plan
724.213 Closure; Time Allowed For Closure
724.214 Disposal or Decontamination of Equipment, Structures and Soils
724.215 Certification of Closure
724.216 Survey Plat
724.217 Post-closure Care and Use of Property
724.218 Post-closure Plan; Amendment of Plan
724.219 Post-closure Notices
724.220 Certification of Completion of Post-closure Care

SUBPART H: FINANCIAL REQUIREMENTS

POLLUTION CONTROL BOARD

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Section	
724.240	Applicability
724.241	Definitions of Terms As Used In This Subpart
724.242	Cost Estimate for Closure
724.243	Financial Assurance for Closure
724.244	Cost Estimate for Post-closure Care
724.245	Financial Assurance for Post-closure Care
724.246	Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care
724.247	Liability Requirements
724.248	Incapacity of Owners or Operators, Guarantors or Financial Institutions
724.251	Wording of the Instruments

SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section	
724.270	Applicability
724.271	Condition of Containers
724.272	Compatibility of Waste With Container
724.273	Management of Containers
724.274	Inspections
724.275	Containment
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724.277	Special Requirements for Incompatible Wastes
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APPENDIX D Cochran's Approximation to the Benfren-Fisher Student's T-Test

APPENDIX E Examples of Potentially Incompatible Waste

APPENDIX I Groundwater Monitoring List

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11964, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6138, effective March 24, 1987; amended in R86-28 at 11 Ill. Reg. 13577, 8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R91-1 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17702, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6973, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12487, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17601, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9951, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBPART A: GENERAL PROVISIONS

Section 724.101 Purpose, Scope and Applicability

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- a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste.
- b) The standards in this Part apply to owners and operators of all facilities that treat, store, or dispose of hazardous waste, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.1.
- c) The requirements of this Part apply to a person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434, 33 U.S.C. 1401) only to the extent they are included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141. A "RCRA permit" is a permit required by Section 21(f) of the Environmental Protection Act and 35 Ill. Adm. Code 703.121.
- BOARD NOTE:** This Part does apply to the treatment or storage of hazardous waste before it is loaded onto an ocean vessel for incineration or disposal at sea.
- d) The requirements of this Part apply to a person disposing of hazardous waste by means of underground injection subject to a permit issued by the Agency pursuant to Section 12(g) of the Environmental Protection Act only to the extent they are required by 35 Ill. Adm. Code 704.Subpart F.
- BOARD NOTE:** This Part does apply to the above-ground treatment or storage of hazardous waste before it is injected underground.
- e) The requirements of this Part apply to the owner or operator of a POTW (publicly owned treatment works) that treats, stores, or disposes of hazardous waste only to the extent included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141.
- f) This subsection corresponds with 40 CFR 264.1(f), which provides that the federal regulations do not apply to T/S/D activities in authorized states, except under limited, enumerated circumstances. This statement maintains structural consistency with USEPA 40-CFR-264.1(f).
- g) The requirements of this Part do not apply to:
- 1) The owner or operator of a facility permitted by the Agency under Section 21 of the Environmental Protection Act to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105.
- BOARD NOTE:** The owner or operator may be subject to 35 Ill. Adm. Code 807 and may have to have a supplemental permit under 35 Ill. Adm. Code 807.210.
- 2) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4) (except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739).
 - 3) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134.
 - 4) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170.

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- 5) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110.
- 6) The owner or operator of an elementary neutralization unit or a wastewater treatment unit, as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.103) or reactive (D003) waste to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 724.117(b).

7) This subsection corresponds with 40 CFR 264.1(g)(7), reserved by USEPA. This statement maintains structural consistency with USEPA rules.

8) Immediate response:

A) Except as provided in subsection (g)(8)(B) below, a person engaged in treatment or containment activities during immediate response to any of the following situations:

- A discharge of a hazardous waste;
- An imminent and substantial threat of a discharge of hazardous waste;
- A discharge of a material that becomes a hazardous waste when discharged.

B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 724.Subparts C and D.

C) Any person that is covered by subsection (g)(8)(A) above and that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities.

9) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.

10) The addition of absorbent materials to waste in a container (as defined in 35 Ill. Adm. Code 720) or the addition of waste to absorbent material in a container, provided these actions occur at the time waste is first placed in the container, and Sections 724.117(b), 724.271, and 724.272 are complied with.

11) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:

- Batteries, as described in 35 Ill. Adm. Code 733.102;
- Pesticides, as described in 35 Ill. Adm. Code 733.103; and
- Thermostats, as described in 35 Ill. Adm. Code 733.104.

h) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728.

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(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Section 724.980 Applicability

- a) The requirements of this Subpart apply, effective June 6, 1996 ~~December--67--1995~~, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers subject to 724.Subpart I, J, or K, except as Section 724.101 and subsection (b) below provide otherwise.
- BOARD NOTE: USEPA ~~8-S-BPA~~ adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995) and 60 Fed. Reg. 56952 (Nov. 13, 1995), USEPA ~~8-S-BPA~~ delayed the effective date until June 6, 1996 ~~December--67--1995~~. If action by USEPA ~~8-S-BPA~~ or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that the 724.Subpart CC rules be enforceable to the extent that they become more stringent than the federal regulations upon which they are based. The requirements of this Subpart do not apply to the following waste management units at the facility:

- A waste management unit that holds hazardous waste placed in the unit before June 6, 1996 ~~December--67--1995~~, and in which no hazardous waste is added to the unit on or after this date.
 - A container that has a design capacity less than or equal to 0.1 m(3) (3.5 ft(3) or 26.4 gal).
 - A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
 - A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA sections 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or state authorities.
 - A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.
- c) For the owner and operator of a facility subject to this Subpart and who received a final RCRA permit prior to June 6, 1996 ~~December--67--1995~~, the requirements of this Subpart shall be incorporated into the

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permit when the permit is reissued, renewed, or modified in accordance with the requirements of 35 Ill. Adm. Code 703 and 705. Until such date when the owner and operator receives a final permit incorporating the requirements of this Subpart, the owner and operator is subject to the requirements of 35 Ill. Adm. Code 725.Subpart CC.

- d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 724.989(i) are stayed for a tank or container used for the management of hazardous waste generated by organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions:

1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.

2) The owner or operator prepares documentation, in accordance with Section 724.989(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 724.984 through 724.987 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above.

3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) above are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) above. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 724.989 Recordkeeping Requirements

- a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the following information as applicable:

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- 1) Documentation for each cover installed on a tank in accordance with the requirements of Section 724.984 (b)(2) or (b)(3) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications as listed in 35 Ill. Adm. Code 725.931(c).
- 2) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of Section 724.985(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in 35 Ill. Adm. Code 725.986(e).
- 3) Documentation for each enclosure used to control air emissions from containers in accordance with the requirements of Section 724.986(b)(2)(A) that includes information prepared by the owner or operator or provided by the manufacturer or vendor describing the enclosure design, and certification by the owner or operator that the enclosure meets the specifications listed in Section 724.986(b)(2)(B).
- 4) Documentation for each closed-vent system and control device installed in accordance with the requirements of Section 724.987 that includes:
 - A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis as specified in subsection (a)(4)(B) below or by performance tests as specified in subsection (a)(4)(C) below when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.
 - B) If a design analysis is used, then design documentation as specified in Section 724.935(b)(4). The documentation shall include information prepared by the owner or operator or provided by the control device manufacturer or vendor that describes the control device design in accordance with Section 724.935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.
 - C) If performance tests are used, then a performance test plan as specified in Section 724.935(b)(3) and all test results.
 - D) Information as required by Section 724.935(c)(1) and (c)(2).
- 5) Records for all Method 27 tests performed by the owner or operator for each container used to meet the requirements of Section 724.986(b)(1)(C).
- 6) Records for all visual inspections conducted in accordance with the requirements of Section 724.988.

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- 7) Records for all monitoring for detectable organic emissions conducted in accordance with the requirements of Section 724.988.
- 8) Records of the date of each attempt to repair a leak, repair methods applied, and the date of successful repair.
- 9) Records for all continuous monitoring conducted in accordance with the requirements of Section 724.988.
- 10) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 724.987(c)(3)(B).
- 11) Records for all inspections of each cover installed on a tank in accordance with the requirements of Section 724.984(b)(2) or (b)(3) that includes information as listed in 35 Ill. Adm. Code 725.991(c).
- b) An owner or operator electing to use air emission controls for a tank in accordance with the conditions specified in Section 724.984(c) shall record the following information:
 - 1) Date and time each waste sample is collected for direct measurement of maximum organic vapor pressure in accordance with Section 724.983(c).
 - 2) Results of each determination of the maximum organic vapor pressure of the waste in a tank performed in accordance with Section 724.983(c).
 - 3) Records specifying the tank dimensions and design capacity.
- c) An owner or operator electing to use air emission controls for a tank in accordance with the requirements of Section 724.991 shall record the information required by Section 724.991(c).
- d) An owner or operator electing not to use air emission controls for a particular tank, surface impoundment, or container subject to this Subpart in accordance with the conditions specified in Section 724.982(c) shall record the information used by the owner or operator for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in accordance with applicable requirements of Section 724.983.
- e) An owner or operator electing to comply with requirements in accordance with Section 724.982(c)(2)(E) or Section 724.982(c)(2)(F) shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.
- f) An owner or operator designating a cover as unsafe to inspect and monitor pursuant to 35 Ill. Adm. Code 725.989(f)(5) or difficult to inspect and monitor pursuant to 35 Ill. Adm. Code 725.989(f)(6) shall record in a log that is kept in the facility operating record the following information:
 - 1) A list of identification numbers for tanks with covers that are designated as unsafe to inspect and monitor in accordance with the requirements of 35 Ill. Adm. Code 725.989(f)(5), an

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- explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.
- 2) A list of identification numbers for tanks with covers that are designated as difficult to inspect and monitor in accordance with the requirements of 35 Ill. Adm. Code 725.989(f)(6), an explanation for each cover stating why the cover is difficult to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.
 - g) All records required by subsections (a) through (f) above, except as required in subsections (a)(1) through (a)(4), shall be maintained in the operating record for a minimum of 3 years. All records required by subsections (a)(1) through (a)(4) above shall be maintained in the operating record until the air emission control equipment is replaced or otherwise no longer in service.
 - h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 720.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR Part, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.
 - i) For each tank or container not using air emission controls specified in Sections 724.984 through 724.987 in accordance with the conditions specified in Section 724.980(d), the owner or operator shall record and maintain the following information:
 - 1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 724.980(d)(1).
 - 2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:
 - A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the tank, the purpose and placement of this tank in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the tanks.
 - B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the container or group of containers, the purpose and placement of this container or group of containers in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the

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containers.

- 3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) above in the tanks or containers identified pursuant to subsection (i)(2) above would create an undue safety hazard if the air emission controls specified in Sections 724.984 through 724.987 were installed and operated on these waste management units. This explanation must include the following information:
- A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under Section 724.984(3), would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under Section 724.986(d), would not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities
- 2) Code Citation: 35 Ill. Adm. Code 726
- 3) Section Numbers: Proposed Action:
 726.180 Amended
 726.203 Amended
 726.204 Amended
- 4) Statutory Authority: 415 ILCS 5/22.4 and 27
- 5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4/R95-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was no need for the Board to take action at this time. Further, the subsequent federal stay

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granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 5666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the *City of Chicago* decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 & 17160) which will have a related impact on the Illinois regulations. First, USEPA amended its methods for testing

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hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA

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indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, the segment of the amendments involved in Part 726 are based on the federal actions of May 11 and June 29, 1995. The May 11 action was the adoption of the universal waste rule, and the amendments to Part 726 state the applicability of 726.Subpart G, the RCRA notification requirements, and permitting requirements to the storage of spent batteries that are destined for regeneration. The amendments of June 29 are based on the federal deletion of obsolete, redundant, and outdated provisions. Specifically, USEPA deleted provisions relating to alternative hydrocarbon emission limitation provisions from the interim standards for hazardous waste burners. The Board has further used this opportunity to make a number of minor, non-substantive amendments to the existing text of the regulations.

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No. Although the existing text of Part 726 includes incorporations by reference, the present amendments do not affect them.
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

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Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agveman, at 312-814-3623.

12) Initial regulatory flexibility analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. That aspect of the present amendments relating to the deletion of obsolete, redundant, and outdated provisions from the regulations should have no impact. The aspect related to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.

- C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and other procedures, including the preparation of manifests and annual reports, waste analyses, and maintenance of operating records. That aspect of the present amendments relating to the deletion of obsolete, redundant, and outdated provisions from the regulations should have no impact. The aspect related to the universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.

- D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 726

STANDARDS FOR THE MANAGEMENT OF
SPECIFIC HAZARDOUS WASTE AND SPECIFIC TYPES
OF HAZARDOUS WASTE MANAGEMENT FACILITIESSUBPART C: RECYCLABLE MATERIALS USED IN A
MANNER CONSTITUTING DISPOSAL

Section
726.120 Applicability
726.121 Standards applicable to generators and transporters of materials used in a manner that constitutes disposal
726.122 Standards applicable to storers, who are not the ultimate users, of materials that are to be used in a manner that constitutes disposal
726.123 Standards Applicable to Users of Materials that are Used in a Manner that Constitutes Disposal

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

Section
726.130 Applicability (Repealed)
726.131 Prohibitions (Repealed)
726.132 Standards applicable to generators of hazardous waste fuel (Repealed)
726.133 Standards applicable to transporters of hazardous waste fuel (Repealed)
726.134 Standards applicable to marketers of hazardous waste fuel (Repealed)
726.135 Standards applicable to burners of hazardous waste fuel (Repealed)
726.136 Conditional exemption for spent materials and by-products exhibiting a characteristic of hazardous waste (Repealed)

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY (Repealed)

Section
726.140 Applicability (Repealed)
726.141 Prohibitions (Repealed)
726.142 Standards applicable to generators of used oil burned for energy recovery (Repealed)
726.143 Standards applicable to marketers of used oil burned for energy recovery (Repealed)
726.144 Standards applicable to burners of used oil burned for energy recovery (Repealed)

SUBPART F: RECYCLABLE MATERIALS UTILIZED FOR

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PRECIOUS METAL RECOVERY

Section
726.170 Applicability and requirements

SUBPART G: SPENT LEAD-ACID BATTERIES
BEING RECLAIMED

Section
726.180 Applicability and requirements

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS
AND INDUSTRIAL FURNACES

Section
726.200 Applicability
726.201 Management prior to Burning
726.202 Permit standards for Burners
726.203 Interim status standards for Burners
726.204 Standards to control Organic Emissions
726.205 Standards to control PM
726.206 Standards to control Metals Emissions
726.207 Standards to control HCl and Chlorine Gas Emissions
726.208 Small quantity On-site Burner Exemption
726.209 Low risk waste Exemption
726.210 Waiver of DRE trial burn for Boilers
726.211 Standards for direct Transfer
726.212 Regulation of Residues
726.219 Extensions of Time

APPENDIX A Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals
APPENDIX B Tier I Feed Rate Screening Limits for Total Chlorine
APPENDIX C Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride
APPENDIX D Reference Air Concentrations
APPENDIX E Risk Specific Doses
APPENDIX F Stack Plume Rise
APPENDIX G Health-Based Limits for Exclusion of Waste-Derived Residues
APPENDIX H Potential PICs for Determination of Exclusion of Waste-Derived Residues
APPENDIX I Methods Manual for Compliance with BIF Regulations
APPENDIX J Guideline on Air Quality Models
APPENDIX K Lead-Bearing Materials That May Be Processed in Exempt Lead Smelters
APPENDIX L Nickel or Chromium-Bearing Materials that may be Processed in Exempt Nickel-Chromium Recovery Furnaces
APPENDIX M Mercury-Bearing Wastes That May Be Processed in Exempt Mercury

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Recovery Units

TABLE A Exempt Quantities for Small Quantity Burner Exemption

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R85-22 at 10 Ill. Reg. 1162, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14156, effective August 12, 1986; amended in R87-26 at 12 Ill. Reg. 2900, effective January 15, 1988; amended in R89-1 at 13 Ill. Reg. 18606, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14533, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9727, effective June 17, 1991; amended in R91-13 at 16 Ill. Reg. 9858, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5865, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20904, effective November 22, 1993; amended in R94-7 at 18 Ill. Reg. 12500, effective July 29, 1994; amended in R95-6 at 19 Ill. Reg. 10006, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART G: SPENT LEAD-ACID BATTERIES
BEING RECLAIMED

Section 726.180 Applicability and requirements

- a) The regulations of this Subpart apply to a person that reclaims (including regeneration) ~~persons--who--reclaim~~ spent lead-acid batteries that are recyclable materials ("spent batteries"). A person that generates, transports, ~~persons--who--generate--transport~~ or collects ~~collect~~ spent batteries or that stores ~~who--store~~ spent batteries (other than spent batteries that are to be regenerated), but one that does ~~do not~~ reclaim the batteries, is ~~them--are~~ not subject to regulation under 35 Ill. Adm. Code 722 through 726 or 35 Ill. Adm. Code 702, 703, or 7057 and also is ~~are~~ not subject to the requirements of Section 3010 of the Resource Conservation and Recovery Act.
- b) Owners or operators of facilities that store spent batteries before reclaiming the batteries (other than spent batteries that are to be regenerated) ~~them~~ are subject to the following requirements.

- 1) Notification requirements under Section 3010 of the Resource Conservation and Recovery Act;
- 2) All applicable provisions in 35 Ill. Adm. Code 724, Subparts A, B (but not 35 Ill. Adm. Code 724.113 (waste analysis)), C, D, E (but not 35 Ill. Adm. Code 724.171 or 724.172 dealing with the use of the manifest and manifest discrepancies), and F through L;
- 3) All applicable provisions in 35 Ill. Adm. Code 725, Subparts A, B (but not 35 Ill. Adm. Code 725.113 (waste analysis)), C, D, E (but not 35 Ill. Adm. Code 725.171 and 725.172 dealing with the use of the manifest and manifest discrepancies), and F through L;
- 4) All applicable provisions in 35 Ill. Adm. Code 702, 703 and 705.

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(Source: Amended at 20 Ill. Reg. _____, effective _____)

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS
AND INDUSTRIAL FURNACES

Section 726.203 Interim Status Standards for Burners

- a) Purpose, scope, applicability.

1) General.

A) The purpose of this Section is to establish minimum national standards for owners and operators of "existing" BIFs that burn hazardous waste where such standards define the acceptable management of hazardous waste during the period of interim status. The standards of this Section apply to owners and operators of existing facilities until either a permit is issued under Section 726.202(d) or until closure responsibilities identified in this Section are fulfilled.

B) "Existing" or "in existence" means a BIF for which the owner or operator filed a certification of precompliance with USEPA 4-Sr--BPA pursuant to 40 CFR 266.103(b), incorporated by reference in subsection (b) below; provided, however, that ~~USEPA 4-Sr--BPA~~ has not determined that the certification is invalid.

C) If a BIF is located at a facility that already has a RCRA permit or interim status, then the owner or operator shall comply with the applicable regulations dealing with permit modifications in 35 Ill. Adm. Code 703.280 or changes in interim status in 35 Ill. Adm. Code 703.155.

- 2) Exemptions. The requirements of this Section do not apply to hazardous waste and facilities exempt under Sections 726.200(b) or 726.208.

3) Prohibition on burning dioxin-listed wastes. The following hazardous waste listed for dioxin and hazardous waste derived from any of these wastes must not be burned in a BIF operating under interim status: ~~USEPA 4-Sr--BPA~~ hazardous waste numbers F020, F021, F022, F023, F026 and F027.

4) Applicability of 35 Ill. Adm. Code 725 standards. Owners and operators of BIFs that burn hazardous waste and are operating under interim status are subject to the following provisions of 35 Ill. Adm. Code 725, except as provided otherwise by this Section:

- A) In Subpart A of this Part (General), 35 Ill. Adm. Code 725.114.
- B) In Subpart B of this Part (General facility standards), 35 Ill. Adm. Code 725.111 through 725.117;
- C) In Subpart C of this Part (Preparedness and prevention), 35 Ill. Adm. Code 725.131 through 725.137;

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- D) In Subpart D of this Part (Contingency plan and emergency procedures), 35 Ill. Adm. Code 725.151 through 725.156;
- E) In Subpart E of this Part (Manifest system, recordkeeping and reporting), 35 Ill. Adm. Code 725.171 - 725.177, except that 35 Ill. Adm. Code 725.171, 725.172 and 725.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources;
- F) In Subpart G of this Part (Closure and post-closure), 35 Ill. Adm. Code 725.211 - 725.215;
- G) In Subpart H of this Part (Financial requirements), 35 Ill. Adm. Code 725.241, 725.242, 725.243 and 725.247 through 725.251, except that the State of Illinois and the Federal government are exempt from the requirements of 35 Ill. Adm. Code 725.247; and
- H) In Subpart BB of this Part (Air emission standards for equipment leaks), except 35 Ill. Adm. Code 725.950(a).
- 5) Special requirements for furnaces. The following controls apply during interim status to industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see subsection (a)(5)(B) above) at any location other than the hot end where products are normally discharged or where fuels are normally fired:
- A) Controls.
- The hazardous waste must be fed at a location where combustion gas temperatures are at least 1800° F;
 - The owner or operator shall determine that adequate oxygen is present in combustion gases to combust organic constituents in the waste and retain documentation of such determination in the facility record;
 - For cement kiln systems, the hazardous waste must be fed into the kiln; and
 - The HC controls of Section 726.204(f) or subsection (c)(5) below apply upon certification of compliance under subsection (c) below, irrespective of the CO level achieved during the compliance test.
- B) Burning hazardous waste solely as an ingredient. A hazardous waste is burned for a purpose other than "solely as an ingredient" if it meets either of these criteria:
- The hazardous waste has a total concentration of nonmetal compounds listed in 35 Ill. Adm. Code 721.102(e) exceeding 500 ppm by weight, as fired and so is considered to be burned for destruction. The concentration of nonmetal compounds in a waste as-generated may be reduced to the 500 ppm limit by bona fide treatment that removes or destroys nonmetal constituents. Blending for dilution to meet the 500 ppm limit is prohibited and documentation that the

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- waste has not been impermissibly diluted must be retained in the facility record; or
- The hazardous waste has a heating value of 5,000 Btu/lb or more, as fired, and so is considered to be burned as fuel. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. The heating value of a waste as-generated may be reduced to below the 5,000 Btu/lb limit by bona fide treatment that removes or destroys organic constituents. Blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and documentation that the waste has not been impermissibly blended must be retained in the facility record.
- 6) Restrictions on burning hazardous waste that is not a fuel. Prior to certification of compliance under subsection (c) below, owners and operators shall not feed hazardous waste that has a heating value less than 5000 Btu/lb, as generated, (except that the heating value of a waste as-generated may be increased to above the 5,000 Btu/lb limit by bona fide treatment; however blending to augment the heating value to meet the 5,000 Btu/lb limit is prohibited and records must be kept to document that impermissible blending has not occurred) in a BIF, except that:
- Hazardous waste may be burned solely as an ingredient; or
 - Hazardous waste may be burned for purposes of compliance testing (or testing prior to compliance testing) for a total period of time not to exceed 720 hours; or
 - Such waste may be burned if the Agency has documentation to show that, prior to August 21, 1991:
 - The BIF was operating under the interim status standards for incinerators or thermal treatment units, 35 Ill. Adm. Code 725.Subparts O or P; and
 - The BIF met the interim status eligibility requirements under 35 Ill. Adm. Code 703.153 for 35 Ill. Adm. Code 725.Subparts O or P; and
 - Hazardous waste with a heating value less than 5,000 Btu/lb was burned prior to that date; or
 - Such waste may be burned in a halogen acid furnace if the waste was burned as an excluded ingredient under 35 Ill. Adm. Code 721.102(e) prior to February 21, 1991, and documentation is kept on file supporting this claim.
- 7) Direct transfer to the burner. If hazardous waste is directly transferred from a transport vehicle to a BIF without the use of a storage unit, the owner and operator shall comply with Section 726.211.
- b) Certification of pre-compliance.
- The Board incorporates by reference 40 CFR 266.103(b)(1992);

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amended at 57 Fed. Reg. 38564, August 25, 1992. This Section incorporates no later editions or amendments.

- 2) Certain owners and operators were required to file a certification of pre-compliance with USEPA 40 CFR 266.103(b) by August 21, 1991, pursuant to 40 CFR 266.103(b). No separate filing is required with the Agency.

- c) Certification of compliance. The owner or operator shall conduct emissions testing to document compliance with the emissions standards of Sections 726.204(b) through (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above under the procedures prescribed by this subsection, except under extensions of time provided by subsection (c)(7) below. Based on the compliance test, the owner or operator shall submit to the Agency, on or before August 21, 1992, a complete and accurate "certification of compliance" (under subsection (c)(4) below) with those emission standards establishing limits on the operating parameters specified in subsection (c)(1) below.

- 1) Limits on operating conditions. The owner or operator shall establish limits on the following parameters based on operations during the compliance test (under procedures prescribed in subsection (c)(4)(D) below) or as otherwise specified and include these limits with the certification of compliance. The BIF must be operated in accordance with these operating limits and the applicable emissions standards of Section 726.204(b) through (e), 726.205, 726.206, 726.207 and subsection (a)(5)(A)(iv) above at all times when there is hazardous waste in the unit.

- A) Feed rate of total hazardous waste and (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)), pumpable hazardous waste;

- B) Feed rate of each metal in the following feedstreams:

- i) Total feedstreams, except that industrial furnaces that must comply with the alternative metals implementation approach under subsection (c)(3)(B) below must specify limits on the concentration of each metal in collected PM in lieu of feed rate limits for total feedstreams; and facilities that comply with Tier I or Adjusted Tier I metals feed rate screening limits may set their operating limits at the metal feed rate screening limits determined under subsection 726.206 b) or (e);

- NOTE: Federal subsections 266.103(c)(1)(ii)(A)(1) and (C)(1)(ii)(A)(2) are condensed into the above subsection.
- ii) Total hazardous waste feed (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e)); and
 - iii) Total pumpable hazardous waste feed (unless complying with Tier I or Adjusted Tier I metals feed rate screening limits under subsection 726.206(b) or (e));

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- C) Total feed rate of total chlorine and chloride in total feed streams, except that facilities that comply with Tier I or Adjusted Tier I feed rate screening limits may set their operating limits at the total chlorine and chloride feed rate screening limits determined under subsection 726.207(b)(1) or (e);

- D) Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited;

- E) CO concentration, and where required, HC concentration in stack gas. When complying with the CO controls of Section 726.204(b), the CO limit is 100 ppmv, and when complying with the HC controls of Section 726.204(c), the HC limit is 20 ppmv. When complying with the CO controls of Section 726.204(c), the CO limit is established based on the compliance test;

- F) Maximum production rate of the device in appropriate units when producing normal product unless complying with Tier I or Adjusted Tier I feed rate screening limits for chlorine under subsection 726.207(b)(1) or (e) and for all metals under subsection 726.207(b) or (e), and the uncontrolled particulate emissions do not exceed the standard under subsection 726.205;

- G) Maximum combustion chamber temperature where the temperature measurement is as close to the combustion zone as possible and is upstream of any quench water injection, (unless complying with the Tier I adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));

- H) Maximum flue gas temperature entering a PM control device (unless complying with Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e));

- I) For systems using wet scrubbers, including wet ionizing scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));

- i) Minimum liquid to flue gas ratio;
- ii) Minimum scrubber blowdown from the system or maximum suspended solids content of scrubber water; and

- iii) Minimum pH level of the scrubber water;
- J) For systems using venturi scrubbers, the minimum differential gas pressure across the venturi (unless complying the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e));

- K) For systems using dry scrubbers (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits

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under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e):

- i) Minimum caustic feed rate; and
 - ii) Maximum flue gas flow rate;
- L) For systems using wet ionizing scrubbers or electrostatic precipitators (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)):
- i) Minimum electrical power in kVA to the precipitator plates; and
 - ii) Maximum flue gas flow rate;
- M) For systems using fabric filters (baghouses), the minimum pressure drop (unless complying with the Tier I or adjusted Tier I metals feed rate screening limits under Section 726.206(b) or (e) and the total chlorine and chloride feed rate screening limits under Section 726.207(b)(1) or (e)).

2) Prior notice of compliance testing. At least 30 days prior to the compliance testing required by subsection (c)(3) below, the owner or operator shall notify the Agency and submit the following information:

- A) General facility information including:
 - i) USEPA R-6--BPA facility ID number;
 - ii) Facility name, contact person, telephone number and address;
 - iii) Person responsible for conducting compliance test, including company name, address and telephone number, and a statement of qualifications;
- iv) Planned date of the compliance test;
- B) Specific information on each device to be tested including:
 - i) A Description of BIF;
 - ii) A scaled plot plan showing the entire facility and location of the BIF;
 - iii) A description of the APCS;
 - iv) Identification of the continuous emission monitors that are installed, including: CO monitor; Oxygen monitor; HC monitor, specifying the minimum temperature of the system and, if the temperature is less than 150° C, an explanation of why a heated system is not used (see subsection (c)(5) below) and a brief description of the sample, gas conditioning system;
 - v) Indication of whether the stack is shared with another device that will be in operation during the compliance test;
 - vi) Other information useful to an understanding of the system design or operation;

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C) Information on the testing planned, including a complete copy of the test protocol and QA/QC plan, and a summary description for each test providing the following information at a minimum:

- i) Purpose of the test (e.g., demonstrate compliance with emissions of PM); and
- ii) Planned operating conditions, including levels for each pertinent parameter specified in subsection (c)(1) above.

3) Compliance testing.

- A) General. Compliance testing must be conducted under conditions for which the owner or operator has submitted a certification of pre-compliance under subsection (b) above and under conditions established in the notification of compliance testing required by subsection (c)(2) above. The owner or operator may seek approval on a case-by-case basis to use compliance test data from one unit in lieu of testing a similar on-site unit. To support the request, the owner or operator shall provide a comparison of the hazardous waste burned and other feedstreams, and the design, operation, and maintenance of both the tested unit and the similar unit. The Agency shall provide a written approval to use compliance test data in lieu of testing a similar unit if the Agency finds that the hazardous wastes, devices and the operating conditions are sufficiently similar, and the data from the other compliance test is adequate to meet the requirements of this subsection (c).
- B) Special requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial furnaces that recycle back into the furnace PM from the APCS shall comply with one of the following procedures for testing to determine compliance with the metals standards of Section 726.206(c) or (d):
 - i) The special testing requirements prescribed in "Alternative Method for Implementing Metals Controls" in Appendix I; or
 - ii) Stack emissions testing for a minimum of 6 hours each day while hazardous waste is burned during interim status. The testing must be conducted when burning normal hazardous waste for that day at normal feed rates for that day and when the APCS is operated under normal conditions. During interim status, hazardous waste analysis for metals content must be sufficient for the owner or operator to determine if changes in metals content affect the ability of the unit to meet the metals emissions standards established under Section 726.206(c) or (d). Under this option, operating limits (under subsection (c)(1) above) must

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be established during compliance testing under this subsection (c)(3) only on the following parameters: Feed rate of total hazardous waste; Total feed rate of total chlorine and chloride in total feed streams; Total feed rate of ash in total feed streams, except that the ash feed rate for cement kilns and light-weight aggregate kilns is not limited; CO concentration, and where required, HC concentration in stack gas; Maximum production rate of the device in appropriate units when producing normal product; or

iii) Conduct compliance testing to determine compliance with the metals standards to establish limits on the operating parameters of subsection (c)(1) above only after the kiln system has been conditioned to enable it to reach equilibrium with respect to metals fed into the system and metals emissions. During conditioning, hazardous waste and raw materials having the same metals content as will be fed during the compliance test must be fed at the feed rates that will be fed during the compliance test.

C) Conduct of compliance testing.

i) If compliance with all applicable emissions standards of Sections 726.204 through 726.207 is not demonstrated simultaneously during a set of test runs, the operating conditions of additional test runs required to demonstrate compliance with remaining emissions standards must be as close as possible to the original operating conditions.

ii) Prior to obtaining test data for purposes of demonstrating compliance with the applicable emissions standards of Sections 726.204 through 726.207 or establishing limits on operating parameters under this Section, the facility must operate under compliance test conditions for a sufficient period to reach steady-state operations. Industrial furnaces that recycle collected PM back into the furnace and that comply with subsections (c)(3)(B)(i) or (c)(3)(B)(ii) above, however, need not reach steady state conditions with respect to the flow of metals in the system prior to beginning compliance testing for metals.

iii) Compliance test data on the level of an operating parameter for which a limit must be established in the certification of compliance must be obtained during emissions sampling for the pollutant(s) (i.e., metals, PW, HCl/chlorine gas, organic compounds) for which the parameter must be established as specified by subsection (c)(1) above.

4) Certification of compliance. Within 90 days of completing

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compliance testing, the owner or operator shall certify to the Agency compliance with the emissions standards of Sections 726.204(b), (c) and (e), 726.205, 726.206, 726.207, and subsection (a)(5)(A)(iv) above. The certification of compliance must include the following information:

A) General facility and testing information including:

- i) US EPA 87-S-BPA facility ID number;
- ii) Facility name, contact person, telephone number and address;
- iii) Person responsible for conducting compliance testing, including company name, address and telephone number, and a statement of qualifications;
- iv) Date(s) of each compliance test;
- v) Description of BIF tested;
- vi) Person responsible for QA/QC, title and telephone number, and statement that procedures prescribed in the QA/QC plan submitted under Section 726.203(c)(2)(C) have been followed, or a description of any changes and an explanation of why changes were necessary;:-
- vii) Description of any changes in the unit configuration prior to or during testing that would alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) above and an explanation of why the changes were necessary; test conditions prior to or during the testing that alter any of the information submitted in the prior notice of compliance testing under subsection (c)(2) above and an explanation of why the changes were necessary;
- ix) The complete report on results of emissions testing.

B) Specific information on each test including:

- i) Purpose(s) of test (e.g., demonstrate conformance with the emissions limits for PM, metals, HCl, chlorine gas and CO);
- ii) Summary of test results for each run and for each test including the following information: Date of run; Duration of run; Time-weighted average and highest hourly rolling average CO level for each run and for the test; Highest hourly rolling average HC level, if HC monitoring is required for each run and for the test; If dioxin and furan testing is required under Section 726.204(e), time-weighted average emissions for each run and for the test of chlorinated dioxin and furan emissions, and the predicted maximum annual average ground level concentration of the toxicity equivalency factor (defined in Section 726.200(g));

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Time-weighted average PM emissions for each run and for the test; Time-weighted average HCl and chlorine gas emissions for each run and for the test; Time-weighted average emissions for the metals subject to regulation under Section 726.206 for each run and for the test; and QA/QC results.

- C) Comparison of the actual emissions during each test with the emissions limits prescribed by Sections 726.204(b), (c) and (e), 726.205, 726.206 and 726.207 and established for the facility in the certification of pre-compliance under subsection (b) above.

- D) Determination of operating limits based on all valid runs of the compliance test for each applicable parameter listed in subsection (c)(1) above using one either of the following procedures:

- i) Instantaneous limits. A parameter must be measured and recorded on an instantaneous basis (i.e., the value that occurs at any time) and the operating limit specified as the time-weighted average during all runs of the compliance test. ~~7-02~~
- ii) Hourly rolling average basis. The limit for a parameter must be established and continuously monitored on an hourly rolling average basis, as defined in Section 726.200(g). The operating limit for the parameter must be established based on compliance test data as the average over all test runs of the highest hourly rolling average value for each run.

- iii) Rolling average limits for carcinogenic metals and lead. Feed rate limits for the carcinogenic metals and lead must be established either on an hourly rolling average basis as prescribed by subsection (c)(4)(D)(ii) above or on (up to) a 24 hour rolling average basis. If the owner or operator elects to use an averaging period from 2 to 24 hours: The feed rate of each metal must be limited at any time to ten times the feed rate that would be allowed on a hourly rolling average basis; The continuous monitor is as defined in Section 726.200(g). And the operating limit for the feed rate of each metal must be established based on compliance test data as the average over all test runs of the highest hourly rolling average feed rate for each run.

- iv) Feed rate limits for metals, total chlorine and chloride and ash. Feed rate limits for metals, total chlorine and chloride and ash are established and monitored by knowing the concentration of the substance (i.e., metals, chloride/chlorine and ash) in

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each feedstream and the flow rate of the feedstream. To monitor the feed rate of these substances, the flow rate of each feedstream must be monitored under the continuous monitoring requirements of subsections (c)(4)(D)(i) through (c)(4)(D)(iii) above.

- E) Certification of compliance statement. The following statement must accompany the certification of compliance:

"I certify under penalty of law that this information was prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gathered and evaluated the information and supporting documentation. Copies of all emissions tests, dispersion modeling results and other information used to determine conformance with the requirements of 35 Ill. Adm. Code 726.203(c) are available at the facility and can be obtained from the facility contact person listed above. Based on my inquiry of the person or persons who manages the facility, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I also acknowledge that the operating limits established pursuant to 35 Ill. Adm. Code 726.203(c)(4)(D) are enforceable limits at which the facility can legally operate during interim status until a revised certification of compliance is submitted."

- 5) Special requirements for HC monitoring systems. When an owner or operator is required to comply with the HC controls provided by Sections 726.204(c) or subsection (a)(5)(A)(iv) above, a conditioned gas monitoring system may be used in conformance with specifications provided in Section 726. Appendix I provided that the owner or operator submits a certification of compliance without using extensions of time provided by subsection (c)(7) below. However, owners or operators of facilities electing to comply with the alternative hydrocarbon provision of Section 726.204(f) and requesting a time extension under Section 726.204(b) may establish the baseline HC level and comply with the interim HC limit established by the Board determining a conditioned gas monitoring system if the owner or operator has also demonstrated a good faith effort to operate a heated monitoring system but found it to be impracticable.

- 6) Special operating requirements for industrial furnaces that recycle collected PM. Owners and operators of industrial

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furnaces that recycle back into the furnace PM from the APCS must:

A) When complying with the requirements of subsection (c)(3)(B)(i) above, comply with the operating requirements prescribed in "Alternative Method to Implement the Metals Controls" in Appendix I; and

B) When complying with the requirements of subsection (c)(3)(B)(ii) above, comply with the operating requirements prescribed by that subsection.

7) Extensions of time.

A) If the owner or operator does not submit a complete certification of compliance for all of the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 by August 21, 1992, the owner or operator shall either:

i) Stop burning hazardous waste and begin closure activities under subsection (1) below for the hazardous waste portion of the facility; or

ii) Limit hazardous waste burning only for purposes of compliance testing (and pre-testing to prepare for compliance testing) a total period of 720 hours for the period of time beginning August 21, 1992, submit a notification to the Agency by August 21, 1992 stating that the facility is operating under restricted interim status and intends to resume burning hazardous waste, and submit a complete certification of compliance by August 23, 1993; or

iii) Obtain a case-by-case extension of time under subsection (c)(7)(B) below.

B) Case-by-case extensions of time. See Section 726.219. Revised certification of compliance. The owner or operator may submit at any time a revised certification of compliance (recertification of compliance) under the following procedures:

A) Prior to submittal of a revised certification of compliance, hazardous waste must not be burned for more than a total of 720 hours under operating conditions that exceed those established under a current certification of compliance, and such burning must be conducted only for purposes of determining whether the facility can operate under revised conditions and continue to meet the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207;

B) At least 30 days prior to first burning hazardous waste under operating conditions that exceed those established under a current certification of compliance, the owner or operator shall notify the Agency and submit the following information:

i) USEPA HRS-BPA facility ID number, and facility name, contact person, telephone number and address;

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ii) Operating conditions that the owner or operator is seeking to revise and description of the changes in facility design or operation that prompted the need to seek to revise the operating conditions;

iii) A determination that, when operating under the revised operating conditions, the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 are not likely to be exceeded. To document this determination, the owner or operator shall submit the applicable information required under subsection (b)(2) above; and

iv) Complete emissions testing protocol for any pretesting and for a new compliance test to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207 when operating under revised operating conditions. The protocol shall include a schedule of pre-testing and compliance testing. If the owner and operator revises the scheduled date for the compliance test, the owner or operator shall notify the Agency in writing at least 30 days prior to the revised date of the compliance test;

C) Conduct a compliance test under the revised operating conditions and the protocol submitted to the Agency to determine compliance with the applicable emissions standards of Sections 726.204, 726.205, 726.206 and 726.207; and

D) Submit a revised certification of compliance under subsection (c)(4) above.

d) Periodic Recertifications. The owner or operator shall conduct compliance testing and submit to the Agency a recertification of compliance under provisions of subsection (c) above within three years from submitting the previous certification or recertification. If the owner or operator seeks to recertify compliance under new operating conditions, the owner or operator shall comply with the requirements of subsection (c)(8) above.

e) Noncompliance with certification schedule. If the owner or operator does not comply with the interim status compliance schedule provided by subsections (b), (c) and (d) above, hazardous waste burning must terminate on the date that the deadline is missed, closure activities must begin under subsection (1) below, and hazardous waste burning must not resume except under an operating permit issued under 35 Ill. Adm. Code 703.232. For purposes of compliance with the closure provisions of subsection (1) below and 35 Ill. Adm. Code 725.212(d)(2) and 725.213, the BIF has received "the known final volume of hazardous waste" on the date the deadline is missed.

f) Start-up and shut-down. Hazardous waste (except waste fed solely as an ingredient under the Tier I (or adjusted Tier I) feed rate screening limits for metals and chloride/chlorine) must not be fed

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into the device during start-up and shut-down of the BIF, unless the device is operating within the conditions of operation specified in the certification of compliance.

- g) Automatic waste feed cutoff. During the compliance test required by subsection (c)(3) above and upon certification of compliance under subsection (c) above, a BIF must be operated with a functioning system that automatically cuts off the hazardous waste feed when the applicable operating conditions specified in subsections (c)(1)(A) and (c)(1)(E) through (c)(1)(M) above deviate from those established in the certification of compliance. In addition:

1) To minimize emissions of organic compounds, the minimum combustion chamber temperature (or the indicator of combustion chamber temperature) that occurred during the compliance test must be maintained while hazardous waste or hazardous waste residues remain in the combustion chamber, with minimum temperature during the compliance test defined as either:

A) If compliance with the combustion chamber temperature limit is based on a hourly rolling average, the minimum temperature during the compliance test is considered to be the average over all runs of the lowest hourly rolling average for each run; or

B) If compliance with the combustion chamber temperature limit is based on an instantaneous temperature measurement, the minimum temperature during the compliance test is considered to be the time-weighted average temperature during all runs of the test; and

2) Operating parameters limited by the certification of compliance must continue to be monitored during the cutoff, and the hazardous waste feed must not be restarted until the levels of those parameters comply with the limits established in the certification of compliance.

- h) Fugitive emissions. Fugitive emissions must be controlled by:

1) Keeping the combustion zone totally sealed against fugitive emissions; or

2) Maintaining the combustion zone pressure lower than atmospheric pressure; or

3) An alternate means of control that the owner or operator demonstrates provides fugitive emissions control equivalent to maintenance of combustion zone pressure lower than atmospheric pressure. Support for such demonstration must be included in the operating record.

- i) Changes. A BIF must cease burning hazardous waste when combustion properties, or feed rates of the hazardous waste, other fuels or industrial furnace feedstocks, or the BIF design or operating conditions deviate from the limits specified in the certification of compliance.

j) Monitoring and Inspections.

1) The owner or operator shall monitor and record the following, at

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a minimum, while burning hazardous waste:

A) Feed rates and composition of hazardous waste, other fuels and industrial furnace feed stocks, and feed rates of ash, metals, and total chlorine and chloride as necessary to ensure conformance with the certification of pre-compliance or certification of compliance;

B) CO, oxygen and, if applicable, HC, on a continuous basis at a common point in the BIF downstream of the combustion zone and prior to release of stack gases to the atmosphere in accordance with the operating limits specified in the certification of compliance CO, HC and oxygen monitors must be installed, operated and maintained in accordance with methods specified in Appendix I.

C) Upon the request of the Agency, sampling and analysis of the hazardous waste (and other fuels and industrial furnace feed stocks as appropriate) and the stack gas emissions must be conducted to verify that the operating conditions established in the certification of pre-compliance or certification of compliance achieve the applicable standards of Sections 726.204, 726.205, 726.206 and 726.207.

2) The BIF and associated equipment (pumps, valves, pipes, fuel storage tanks, etc.) must be subjected to thorough visual inspection when they contain hazardous waste, at least daily for leaks, spills, fugitive emissions and signs of tampering.

3) The automatic hazardous waste feed cutoff system and associated alarms must be tested at least once every 7 days when hazardous waste is burned to verify operability, unless the owner or operator can demonstrate that weekly inspections will unduly restrict or upset operations and that less frequent inspections will be adequate. Support for such demonstration must be included in the operating record. At a minimum, operational testing must be conducted at least once every 30 days.

4) These monitoring and inspection data must be recorded and the records must be placed in the operating log.

k) Recordkeeping. The owner or operator shall keep in the operating record of the facility all information and data required by this Section until closure of the BIF unit.

l) Closure. At closure, the owner or operator shall remove all hazardous waste and hazardous waste residues (including, but not limited to, ash, scrubber waters and scrubber sludges) from the BIF and shall comply with 35 Ill. Adm. Code 725.211 through 725.215.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 726.204 Standards to control Organic Emissions

a) DRE standard.

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- 1) General. Except as provided in subsection (a)(3) below, a BIF burning hazardous waste must achieve a DRE of 99.99% for all organic hazardous constituents in the waste feed. To demonstrate conformance with this requirement, 99.99% DRE must be demonstrated during a trial burn for each principal organic hazardous constituent (POHC) designated under subsection (a)(2) below in its permit for each waste feed. DRE is determined for each POHC from the following equation:

$$DRE = 100(I - O)/I$$

where:

I = Mass feed rate of one POHC in the hazardous waste fired to the BIF; and
 O = Mass emission rate of the same POHC present in stack gas prior to release to the atmosphere.

- 2) Designation of POHCs. POHCs are those compounds for which compliance with the DRE requirements of this Section must be demonstrated in a trial burn in conformance with procedures prescribed in 35 Ill. Adm. Code 703.232. One or more POHCs must be designated by the Agency for each waste feed to be burned. POHCs must be designated based on the degree of difficulty of destruction of the organic constituents in the waste and on their concentrations or mass in the waste feed considering the results of waste analyses submitted with Part B of the permit application. POHCs are most likely to be selected from among those compounds listed in 35 Ill. Adm. Code 721. Appendix H that are also present in the normal waste feed. However, if the applicant demonstrates to the Agency that a compound not listed in 35 Ill. Adm. Code 721. Appendix H or not present in the normal waste feed is a suitable indicator of compliance with the DRE requirements of this Section, that compound must be designated as a POHC. Such POHCs need not be toxic or organic compounds.
- 3) Dioxin-listed waste. A BIF burning hazardous waste containing (or derived from) USEPA 8-S7--BPA Hazardous Wastes Nos. F020, F021, F022, F023, F026, or F027 must achieve a destruction and removal efficiency (DRE) of 99.999% for each POHC designated under subsection (a)(2) above in its permit. This performance must be demonstrated on POHCs that are more difficult to burn than tetra-, penta- and hexachlorodibenzo-p-dioxins and dibenzofurans. DRE is determined for each POHC from the equation in subsection (a)(1) above. In addition, the owner or operator of the BIF shall notify the Agency of intent to burn USEPA 8-S7--BPA Hazardous Wastes Nos. F020, F021, F022, F023, F026 or F027.
- 4) Automatic waiver of DRE trial burn. Owners and operators of boilers operated under the special operating requirements

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provided by Section 726.210 are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.

5) Low risk waste. Owners and operators of BIFs that burn hazardous waste in compliance with the requirements of Section 726.209(a) are considered to be in compliance with the DRE standard of subsection (a)(1) above and are exempt from the DRE trial burn.

b) CO standard.

- 1) Except as provided in subsection (c) below, the stack gas concentration of CO from a BIF burning hazardous waste cannot exceed 100 ppmv on an hourly rolling average basis (i.e., over any 60 minute period), continuously corrected to 7 percent oxygen, dry gas basis.
- 2) CO and oxygen must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Appendix I.
- 3) Compliance with the 100 ppmv CO limit must be demonstrated during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). To demonstrate compliance, the highest hourly rolling average CO level during any valid run of the trial burn or compliance test must not exceed 100 ppmv.

c) Alternative CO standard.

- 1) The stack gas concentration of CO from a BIF burning hazardous waste may exceed the 100 ppmv limit provided that stack gas concentrations of HCs do not exceed 20 ppmv, except as provided by subsection (f) below for certain industrial furnaces.
- 2) HC limits must be established under this Section on an hourly rolling average basis (i.e., over any 60 minute period), reported as propane, and continuously corrected to 7 percent oxygen, dry gas basis.
- 3) HC must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Hydrocarbons for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Appendix I. CO and oxygen must be continuously monitored in conformance with subsection (b)(2) above.
- 4) The alternative CO standard is established based on CO data during the trial burn (for a new facility) and the compliance test (for an interim status facility). The alternative CO standard is the average over all valid runs of the highest hourly average CO level for each run. The CO limit is implemented on an hourly rolling average basis, and continuously corrected to 7 percent oxygen, dry gas basis.
- d) Special requirements for furnaces. Owners and operators of industrial furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see Section

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726.203(a)(5)(B)) at any location other than the end where products are normally discharged and where fuels are normally fired must comply with the HC limits provided by subsections (c) above or (f) below irrespective of whether stack gas CO concentrations meet the 100 ppmv limit of subsection (b) above.

- e) Controls for dioxins and furans. Owners and operators of BIFs that are equipped with a dry PM control device that operates within the temperature range of 450 through 750° F, and industrial furnaces operating under an alternative HC limit established under subsection (f) below shall conduct a site-specific risk assessment as follows to demonstrate that emissions of chlorinated dibenzo-p-dioxins and dibenzofurans do not result in an increased lifetime cancer risk to the hypothetical maximum exposed individual (MEI) exceeding 1×10^{-5} (1 in 100,000):

- 1) During the trial burn (for new facilities or an interim status facility applying for a permit) or compliance test (for interim status facilities), determine emission rates of the tetra-octa congeners of chlorinated dibenzo-p-dioxins (PCDDs) and dibenzofurans (CDFs) using Method 23, "Determination of Polychlorinated Dibenzo-p-Dioxins and Polychlorinated Dibenzofurans (PCDFs) from Stationary Sources", in Appendix I;
 - 2) Estimate the 2,3,7,8-TCDD toxicity equivalence of the tetra-octa CDDs/CDFs congeners using "Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-Dioxin and Dibenzofuran Congeners" in Appendix I. Multiply the emission rates of CDD/CDF congeners with a toxicity equivalence greater than zero (see the procedure) by the calculated toxicity equivalence factor to estimate the equivalent emission rate of 2,3,7,8-TCDD;
 - 3) Conduct dispersion modeling using methods recommended in 40 CFR 51, Appendix W, as incorporated by reference at 35 Ill. Adm. Code 720.111 ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), the "Hazardous Waste Combustion Air Quality Screening Procedure", provided in Appendix I, or in "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" (incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration of 2,3,7,8-TCDD equivalents determined under subsection (e)(2) above. The maximum annual average on-site concentration must be used when a person resides on-site; and
 - 4) The ratio of the predicted maximum annual average ground level concentration of 2,3,7,8-TCDD equivalents to the risk-specific dose (RSD) for 2,3,7,8-TCDD provided in Appendix E (2.2 $\times 10^{-7}$) must not exceed 1.0.
- f) Alternative HC limit for furnaces with organic matter in raw material. For industrial furnaces that cannot meet the 20 ppmv HC limit because of organic matter in normal raw material, the Agency shall establish an alternative HC limit on a case-by-case basis under a Part-B permit proceeding at a level that ensures that the gas HC and CO

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concentrations when burning hazardous waste are not greater than when not burning hazardous waste (the baseline HC level) provided that the owner or operator complies with the following requirements. However, cement kilns equipped with a bypass dust meeting the requirements of subsection (g) below are not eligible for an alternative HC limit.

- 1) The owner or operator shall demonstrate that the facility is designed and operated to minimize HC emissions from fuels and raw materials, and that the facility is producing normal products under normal operating conditions feeding normal feedstocks and fuels when the baseline HC and CO levels are determined. The baseline HC level is defined as the average over all valid test runs of the highest hourly rolling average value for each run when the facility does not burn hazardous waste. As appropriate to consider the variability of any test run, levels under good combustion operating conditions, the baseline HC level is determined based on the test runs used to establish the baseline HC level and is defined as the average over all test runs of the highest hourly rolling average CO value for each run. More than one baseline level must be determined if the facility operates under different modes that generate significantly different HC and CO levels.

- 2) The owner or operator shall develop an approach to monitor over time changes in the operation of the facility that could reduce the baseline HC level.

- 3) The owner or operator shall conduct emissions testing during the trial burn to:

- A) Determine the baseline HC and CO level;
 - B) Demonstrate that when hazardous waste is burned HC and CO levels do not exceed the baseline level; and
 - C) Identify the types and concentrations of organic compounds listed in 35 Ill. Adm. Code 720.111 Appendix H that are emitted and conduct dispersion modeling to predict the maximum annual average ground level concentration of each organic compound on-site ground level concentrations must be considered for this evaluation if a person resides on-site.
- 1) Sampling and analysis of organic emissions must be conducted using procedures prescribed by the Agency pursuant to 35 Ill. Adm. Code 703.208(a);
- 2) Dispersion modeling must be conducted according to procedures provided by subsection (e)(2) above; and
- B) Demonstrate that maximum annual average ground level concentrations of the organic compounds identified in subsection (f)(3) are above and do not exceed the following levels:

- 1) For the noncarcinogenic compounds listed in Section 726 Appendix B, the levels established in that Section;
- 2) For the carcinogenic compounds listed in Appendix B,

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the sum for all compounds of the ratios of the actual ground-level concentration to the level established in that Section cannot exceed 1.0. To estimate the health risk from chlorinated dibenzo-p-dioxins and dibenzofuran congeners use the procedures prescribed by this subsection (e)(3) above to estimate the 293-778 PCB toxicity equivalence of the congeners. Per compounds not listed in Section 726-Appendix B or 726-Appendix C by 0.1-0.3 mg/m³ (micrograms per cubic meter).

- 4) All HC levels specified under this subsection are to be monitored and reported as specified in subsections (c)(1) and (c)(2) above.
- f) Monitoring CO and HC in the by-pass duct of a cement kiln. Cement kilns may comply with the CO and HC limits provided by subsections (b), (c) and (d) above by monitoring in the by-pass duct provided that:

- 1) Hazardous waste is fired only into the kiln and not at any location downstream from the kiln exit relative to the direction of gas flow; and
- 2) The by-pass duct diverts a minimum of 10% of kiln off-gas into the duct.

g) Use of emissions test data to demonstrate compliance and establish operating limits. Compliance with the requirements of this Section must be demonstrated simultaneously by emissions testing or during separate runs under identical operating conditions. Further, data to demonstrate compliance with the CO and HC limits of this Section or to establish alternative CO or HC limits under this Section must be obtained during the time that DRE testing, and where applicable, CDD/CDF testing under subsection (e) above and comprehensive organic emissions testing under subsection (f) above is conducted.

h) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Standards for Universal Waste Management

- 2) Code citation: 35 Ill. Adm. Code 733

- 3) Section numbers: Proposed action:
 733.101, 733.102, 733.103 New Section
 733.104, 733.105, 733.106 New Section
 733.110, 733.111, 733.112 New Section
 733.113, 733.114, 733.115 New Section
 733.116, 733.117, 733.118 New Section
 733.119, 733.120, 733.130 New Section
 733.131, 733.132, 733.133 New Section
 733.134, 733.135, 733.136 New Section
 733.137, 733.138, 733.139 New Section
 733.140, 733.150, 733.151 New Section
 733.152, 733.153, 733.154 New Section
 733.155, 733.156, 733.160 New Section
 733.161, 733.162, 733.170 New Section
 733.180, 733.181 New Section

- 4) Statutory authority: 415 ILCS 5/22.4 and 27

- 5) A complete description of the subjects and issues involved: A more detailed description is contained in the Board's proposed opinion of February 1, 1996, in R95-20, which is available from the address below. Section 22.4(a) of the Environmental Protection Act (415 ILCS 5/22.4(a)) provides that Section 5 of the Illinois Administrative Procedure Act (5 ILCS 100/5) shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking updates Parts 702, 703, 720, 721, 722, 724, 725, 726, and 728 and adds Part 733 of the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA which appeared in the Federal Register during the period January 1 through June 30, July 7, September 29, and November 13, 1995. The nominal time-frame of this rulemaking docket is January 1 through June 30, 1995. In addition to the amendments that occurred during the nominal docket update period, the Board has included three additional, later actions that are corrections or relaxations of prior amendments in the preceding RCRA Subtitle C update docket, R95-4 R35-6. Further, the Board used this opportunity to include a number of corrective amendments to the existing regulations. These corrections are more fully described below. They are derived from comments by the Joint Committee on Administrative Rules (JCAR) and the Illinois EPA (Agency). Finally, the Board omitted from consideration two sets of federal amendments that occurred during the time-frame of this docket. First, on January 3, 1995 (60 Fed. Reg. 242), USEPA corrected errors and clarified language in the universal treatment standards adopted

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on September 19, 1994 as the Phase II LDRs. The Board did not include those amendments in this docket because we dealt with them in docket R95-4/R95-6, when adopting the Phase II rules. Second, on May 19, 1995 (60 Fed. Reg. 26828), USEPA stayed the 40 CFR 264, subpart CC and 265, subpart CC (Subpart CC) regulations governing organic material emissions from tanks, containers, and surface impoundments. USEPA delayed the effective date by six months, until December 6, 1995. This delay was previously included with the R95-4/R95-6 amendments, so there was not need for the Board to take action at this time. Further, the subsequent federal stay granted on November 13, 1995 made that initial stay of May 19 obsolete.

By way of brief elaboration, the Board will summarize describe the federal actions that occurred in the time-frame of this docket and our action on each matter.

The federal amendments of January 13, 1995 (60 Fed. Reg. 3089) added Update II to the third edition of "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", SW-846, by updating the incorporations by reference. The Board included corresponding amendments in this docket.

On February 3, 1995 (60 Fed. Reg. 6666), USEPA responded to public inquiries in the wake of the Supreme Court's decision in *City of Chicago v. Environmental Defense Fund, Inc.*, 114 S.Ct. 1588 (1994). USEPA resolved an issue by interpreting that municipal solid waste incinerator ash becomes a hazardous waste when it leaves the combustion building after the combustion and air pollution control processes. This avoids designating the combustion building as a hazardous waste management facility. Although there were no regulatory amendments accompanying the interpretation, the Board has already noted the *City of Chicago* decision in a Board Note in our rules, so we amend the Note to include the recent federal interpretation.

On February 7, 1995 (60 Fed. Reg. 7366), USEPA announced that it had studied cement kiln dust and determined that some further regulation of this material (which is RCRA Subtitle C-exempt) is desirable. However, USEPA noted that the costs of complete Subtitle C compliance would likely be prohibitive. USEPA stated that it plans to establish a special subset of regulations for this material at some future time. Since there are no regulatory amendments at this time, and since the federal determination does not yet carry any substantive effect, the Board does not need to react to this determination by amendment of the Illinois rules. This opinion will not further discuss this federal action.

By the amendments of February 9, 1995 (60 Fed. Reg. 7824), USEPA established hazardous waste listings (K156 through K161) for six carbamate production wastes. It added 58 new chemicals to the list of commercial chemical products that become hazardous waste when discarded. USEPA also

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exempted biological treatment sludges from hazardous waste regulation, so long as the treated sludges do not exhibit a hazardous characteristic. On April 17, 1995 (60 Fed. Reg. 19165) and again on May 12, 1995 (60 Fed. Reg. 25619), USEPA corrected the earlier carbamate amendments. The present docket includes amendments to the Illinois RCRA Subtitle C rules in response to these federal actions.

There were two sets of ostensibly unrelated amendments on April 4, 1995 (60 Fed. Reg. 17001 and 17160) which will have a related impact on the Illinois regulations. First, USEPA amended its methods for testing hazardous waste to clarify the temperature for pH measurements and add an additional analytical method. The Board will have to incorporate these amendments into the Illinois rules. Second, USEPA amended its guideline for testing under the Clean Water Act (40 CFR 136) to add clarifying notes and update analytical methods. Although this action does not directly affect the RCRA Subtitle C program, the Illinois RCRA/UIC regulations incorporate federal Part 136 by reference at Section 720.111. Both sets of amendments have required the Board to update the incorporations by reference provisions to reflect the latest federal versions of the methods.

A major set of federal regulations arose on May 11, 1995 (60 Fed. Reg. 25492), when USEPA established a new body of regulations to govern certain high-volume hazardous wastes that are being collected for recycling or disposal. Although USEPA plans to add wastes in the future (notably, fluorescent light bulbs), these streamlined rules (not unlike the used oil regulations) apply to batteries, pesticides, and thermostats at this time. This is the single most significant set of amendments within the update period, and the Board has received a request for expedited consideration of these amendments. The Board is establishing a new Part 733 in this proceeding to correspond with new federal 40 CFR 273.

By the amendments of June 13, 1995 (60 Fed. Reg. 31114), USEPA delisted the treated residues of certain listed hazardous waste generated by Conversion Systems, Inc. (CSI) in Sterling, Illinois. As is explained in the Board's opinion of February 1, 1996, CSI submitted a request that has prompted the Board to include corresponding amendments in this docket.

On June 29, 1995 (60 Fed. Reg. 33912), USEPA deleted a vast number of rules that were obsolete, redundant, or outdated. USEPA amended three provisions in 40 CFR 261 and 266 of the RCRA Subtitle C (hazardous waste) rules as part of this effort. The Board has included amendments in this docket to correspond with this federal action.

Finally, USEPA undertook three actions relating to the 40 CFR 264, subpart CC and 265, subpart CC regulations (Subpart CC rules) governing organic material emissions from tanks, containers, and surface impoundments. One action, on July 7, 1995 (60 Fed. Reg. 35452), made corrections to the

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Subpart CC rules. Since both corrections relate to the Federal Register preamble discussion and not to the text of the regulations themselves, no amendments were necessary based on that action. On the other hand, Board action is required by two other actions relating to the Subpart CC rules that are outside the routine time-frame of this docket. Although both actions are within the nominal time-frame of the next RCRA Subtitle C update docket, R96-10, which covers the period of July 1 through December 31, 1995, the Board has decided to take action at this time and include both stays in this docket. Both are partial stays of the Subpart CC rules. First, on September 29, 1995 (60 Fed. Reg. 50426), USEPA indefinitely stayed the Subpart CC regulations as they would apply to tanks, surface impoundments, and containers containing hazardous waste generated by an organic peroxide manufacturing process. Second, on November 13, 1995 (60 Fed. Reg. 56952), USEPA further delayed the effective date of the Subpart CC rules by another six months, until June 6, 1996. Both stays required amendment of the base hazardous waste regulations.

Specifically, adoption of Part 733 is based on the federal action of May 11, 1995 in adopting the universal waste rule. Part 733 is the main body of the universal waste rule; a set of alternative, less burdensome rules applicable to certain activities with regard to certain enumerated hazardous waste deemed "universal waste". In the initial adoption of the universal waste rule, USEPA has designated three universal wastes: waste thermostats, spent batteries, and waste pesticides.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the centralized listing of all documents incorporated by reference for the purposes of 35 Ill. Adm. Code 702, 703, 704, 705, 720, 721, 722, 723, 724, 725, 726, 728, 730, 733, 738, and 739. The text of new Part 733 includes incorporations by reference of sections of the Federal Food, Drug and Cosmetic Act (FDCA) and USDOT regulations relating to hazardous materials transportation (49 CFR 171.8 and 173.2). Although the text references the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), it incorporates no requirements from that statute. For this reason, the Board did not include this federal legislation as an incorporation by reference.

9) Are there any other amendments pending on this Part? No

10) Statement of statewide policy objectives: This rulemaking is mandated by Section 22.4(a) of the Environmental Protection Act. The Statewide policy objectives are set forth in Section 20 of that Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in the generation, transportation, treatment, storage, or

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disposal of hazardous waste.

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-20 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, Illinois 60601

Address all questions to Michael J. McCambridge, at 312-814-6924.

Request copies of the Board's opinion and order from Victoria Agyeman, at 312-814-3620.

- 12) Initial regulatory flexibility analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: February 5, 1996

B) Types of small businesses affected: The existing rules and proposed amendments affect small businesses which generate, transport, treat, store, or dispose of hazardous waste. The new universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.

C) Reporting, bookkeeping or other procedures required for compliance: The existing rules and proposed amendments require extensive reporting, bookkeeping, and the procedures, including other preparation of manifests and annual reports, waste analyses, and maintenance of operating records. The new universal waste regulations would tend to lessen the burden of compliance by providing an alternative set of rules that apply in lieu of the more burdensome generally-applicable hazardous waste management standards.

D) Types of professional skills necessary for compliance: Compliance with the existing rules and proposed amendments may require the services of an attorney, certified public accountant, chemist, and registered professional engineer.

- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the proposed amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 733

STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A: GENERAL

Section	Scope	Exempt	Small	Quantity
733.101	Applicability--Batteries			
733.102	Applicability--Pesticides			
733.103	Applicability--Thermostats			
733.104	Applicability--Household and Conditionally			
733.105	Generator Waste			
733.106	Definitions			

SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

Section	Scope
733.110	Applicability
733.111	Prohibitions
733.112	Notification
733.113	Waste Management
733.114	Labeling and Marking
733.115	Accumulation Time Limits
733.116	Employee Training
733.117	Response to Releases
733.118	Off-Site Shipments
733.119	Tracking Universal Waste Shipments
733.120	Exports

SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

Section	Scope
733.130	Applicability
733.131	Prohibitions
733.132	Notification
733.133	Waste Management
733.134	Labeling and Marking
733.135	Accumulation Time Limits
733.136	Employee Training
733.137	Response to Releases
733.138	Off-Site Shipments
733.139	Tracking Universal Waste Shipments
733.140	Exports

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SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

Section	Scope
733.150	Applicability
733.151	Prohibitions
733.152	Waste Management
733.153	Accumulation Time Limits
733.154	Response to Releases
733.155	Off-Site Shipments
733.156	Exports

SUBPART E: STANDARDS FOR DESTINATION FACILITIES

Section	Scope
733.160	Applicability
733.161	Off-Site Shipments
733.162	Tracking Universal Waste Shipments

SUBPART F: IMPORT REQUIREMENTS

Section	Scope
733.170	Imports

SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

Section	Scope
733.180	General
733.181	Factors for Petitions to Include Other Wastes

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R95-20 at 20 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 733.101 Scope

a) This Part establishes requirements for managing the following:

- 1) Batteries, as described in Section 733.102;
- 2) Pesticides, as described in Section 733.103; and
- 3) Thermostats, as described in Section 733.104.

b) This Part provides an alternative set of management standards in lieu of regulation under 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728.

Section 733.102 Applicability--Batteries

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a) Batteries covered under this Part.

1) The requirements of this Part apply to persons managing batteries, as described in Section 733.106, except those listed in subsection (b) below.

2) Spent lead-acid batteries that are not managed under 35 Ill. Adm. Code 726.Subpart G, are subject to management under this Part.

b) Batteries not covered under this Part. The requirements of this Part do not apply to persons managing the following batteries:

1) Spent lead-acid batteries that are managed under 35 Ill. Adm. Code 726.Subpart G.

2) Batteries, as described in Section 733.106, that are not yet wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c) below.

3) Batteries, as described in Section 733.106, that are not hazardous waste. A battery is a hazardous waste if it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.

c) Generation of waste batteries.

1) A used battery becomes a waste on the date it is discarded (e.g., when sent for reclamation).

2) An unused battery becomes a waste on the date the handler decides to discard it.

Section 733.103 Applicability--Pesticides

a) Pesticides covered under this Part. The requirements of this Part apply to persons managing pesticides, as described in Section 733.106, that meet the following conditions, except those listed in subsection (b) below:

1) Recalled pesticides:

A) Stocks of a suspended and canceled pesticide that are part of a voluntary or mandatory recall under Section 13(b) of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA; 7 U.S.C. Section 136g), including, but not limited to those owned by the registrant responsible for conducting the recall; or

B) Stocks of a suspended or cancelled pesticide, or a pesticide that is not in compliance with FIFRA, that are part of a voluntary recall by the registrant.

2) Stocks of other unused pesticide products that are collected and managed as part of a waste pesticide collection program.

b) Pesticides not covered under this Part. The requirements of this Part do not apply to persons managing the following pesticides:

1) Recalled pesticides described in subsection (a)(1) above, and unused pesticide products described in subsection (a)(2) above, that are managed by farmers in compliance with 35 Ill. Adm. Code 722.170. (35 Ill. Adm. Code 722.170 addresses pesticides disposed of on the farmer's own farm in a manner consistent with

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the disposal instructions on the pesticide label, providing the container is triple rinsed in accordance with 35 Ill. Adm. Code 721.107(b)(3).;

2) Pesticides not meeting the conditions set forth in subsection (a) above must be managed in compliance with the hazardous waste regulations in 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728;

3) Pesticides that are not wastes under 35 Ill. Adm. Code 721, including those that do not meet the criteria for waste generation in subsection (c) below or those that are not wastes as described in subsection (d) below; and

4) Pesticides that are not hazardous waste. A pesticide is a hazardous waste if it is a waste (subsection (b)(3) above) and either it is listed in 35 Ill. Adm. Code 721.Subpart D or it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.

c) When a pesticide becomes a waste.

1) A recalled pesticide described in subsection (a)(1) above becomes a waste on the first date on which both of the following conditions apply:

A) The generator of the recalled pesticide agrees to participate in the recall; and

B) The person conducting the recall decides to discard (e.g., burn the pesticide for energy recovery).

2) An unused pesticide product described in subsection (a)(2) above becomes a waste on the date the generator decides to discard it.

d) Pesticides that are not wastes. The following pesticides are not wastes:

1) Recalled pesticides described in subsection (a)(1) above, provided that:

A) The person conducting the recall has not made a decision to discard the pesticide (e.g., burn it for energy recovery). Until such a decision is made, the pesticide does not meet the definition of "solid waste" under 35 Ill. Adm. Code 721.102; thus the pesticide is not a hazardous waste and is not subject to hazardous waste requirements, including those of this Part. This pesticide remains subject to the requirements of FIFRA; or

B) The person conducting the recall has made a decision to use a management option that, under 35 Ill. Adm. Code 721.102, does not cause the pesticide to be a solid waste (i.e., the selected option is use (other than use constituting disposal) or reuse (other than burning for energy recovery) or reclamation). Such a pesticide is not a solid waste and therefore is not a hazardous waste, and is not subject to the hazardous waste requirements including this Part. This pesticide, including a recalled pesticide that is exported to a foreign destination for use or reuse, remains subject

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to the requirements of FIFRA.

- 2) Unused pesticide products described in subsection (a)(2) above, if the generator of the unused pesticide product has not decided to discard them (e.g., burn for energy recovery). These pesticides remain subject to the requirements of FIFRA.

Section 733.104 Applicability--Thermostats

- a) Thermostats covered under this Part. The requirements of this Part apply to persons managing thermostats, as described in Section 733.106, except those listed in subsection (b) below.
- b) Thermostats not covered under this Part. The requirements of this Part do not apply to persons managing the following thermostats.
 - 1) Thermostats that are not yet wastes under 35 Ill. Adm. Code 721. Subsection (c) below describes when thermostats become wastes.
 - 2) Thermostats that are not hazardous waste. A thermostat is a hazardous waste if it is a waste (subsection (b)(1) above) and it exhibits one or more of the characteristics identified in 35 Ill. Adm. Code 721.Subpart C.
- c) Generation of waste thermostats.
 - 1) A used thermostat becomes a waste on the date it is discarded (e.g., sent for reclamation).
 - 2) An unused thermostat becomes a waste on the date the handler decides to discard it.

Section 733.105 Applicability--Household and Conditionally Exempt Small Quantity Generator Waste

- a) Persons managing the wastes listed below may, at their option, manage them under the requirements of this Part.
 - 1) Household wastes that are exempt under 35 Ill. Adm. Code 721.104(b)(1) and are also of the same type as the universal wastes defined at Section 733.106; or
 - 2) Conditionally exempt small quantity generator wastes that are exempt under 35 Ill. Adm. Code 721.105 and are also of the same type as the universal wastes defined at Section 733.106.
- b) Persons that commingle the wastes described in subsections (a)(1) and (a)(2) above together with universal waste regulated under this Part shall manage the commingled waste under the requirements of this Part.

Section 733.106 Definitions

"Battery" means a device consisting of one or more electrically connected electrochemical cells which is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also

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includes an intact, unbroken battery from which the electrolyte has been removed.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in Sections 733.113(a) and (c) and 733.113(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for purposes of managing that category of universal waste.

"FIFRA" means the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sections 136 through 136y).

"Generator" means any person, by site, whose act or process produces hazardous waste identified or listed in 35 Ill. Adm. Code 261 or whose act first causes a hazardous waste to become subject to regulation.

"Large quantity handler of universal waste" means a universal waste handler (as defined in this Section) that accumulates 5,000 kilograms or more total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time. This designation as a large quantity handler of universal waste is retained through the end of the calendar year in which 5,000 kilograms or more total of universal waste is accumulated.

"On-site" means the same or geographically contiguous property that may be divided by public or private right-of-way, provided that the entrance and exit between the properties is at a cross-roads intersection, and access is by crossing as opposed to going along the right of way. Non-contiguous properties, owned by the same person but connected by a right-of-way that that person controls and to which the public does not have access, are also considered on-site property.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under Section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA; 21 U.S.C. Section 321(v)), incorporated by reference in Section 720.111,

It is an animal drug that has been determined by regulation of the Federal Secretary of Health and Human Services, pursuant to FFDCA Section 360b(j), incorporated by reference in Section 720.111, to be an exempted new animal drug, or

It is an animal feed under FFDCA Section 201(w) (21 U.S.C.

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Section 321(w)), incorporated by reference in Section 720.111, that bears or contains any substances described in either of the two preceding paragraphs of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 273.6 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug". This is very similar to the language of Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. Section 136(u)). The three exceptions, taken together, appear intended not to include as "pesticide" any material within the scope of federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"Small quantity handler of universal waste" means a universal waste handler (as defined in this Section) that does not accumulate more than 5,000 kilograms total of universal waste (batteries, pesticides, or thermostats, calculated collectively) at any time.

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with the requirements of 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

"Universal waste" means any of the following hazardous wastes that are subject to the universal waste requirements of this Part:

Batteries, as described in Section 733.102;

Pesticides, as described in Section 733.103; and

Thermostats, as described in Section 733.104.

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates universal waste, and sends universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean:

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A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

"Universal waste transfer facility" means any transportation-related facility including loading docks, parking areas, storage areas and other similar areas where shipments of universal waste are held during the normal course of transportation for ten days or less.

"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

SUBPART B: STANDARDS FOR SMALL QUANTITY HANDLERS

Section 733.110 Applicability

This Subpart applies to small quantity handlers of universal waste (as defined in Section 733.106).

Section 733.111 Prohibitions

A small quantity handler of universal waste is prohibited from the following acts:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases as provided in Section 733.117 or by managing specific wastes as provided in Section 733.113.

Section 733.112 Notification

A small quantity handler of universal waste is not required to notify USEPA and the Agency of its universal waste handling activities.

Section 733.113 Waste Management

- a) Universal waste batteries. A small quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

- 1) A small quantity handler of universal waste shall contain in a container any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed, structurally sound, and compatible with the contents of the

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battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

- 2) A small quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):
 - A) Sorting batteries by type;
 - B) Mixing battery types in one container;
 - C) Discharging batteries so as to remove the electric charge;
 - D) Regenerating used batteries;
 - E) Disassembling batteries or battery packs into individual batteries or cells;
 - F) Removing batteries from consumer products; or
 - G) Removing electrolyte from batteries.

- 3) A small quantity handler of universal waste that removes electrolyte from batteries, or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above, shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721. Subpart C.
 - A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.
 - B) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

- b) Universal waste pesticides. A small quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:
 - 1) A container that remains closed, structurally sound, and compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
 - 2) A container that does not meet the requirements of subsection (b)(1) above, provided that the unacceptable container is

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overpacked in a container that does meet the requirements of subsection (b)(1);

- 3) A tank that meets the requirements of 35 Ill. Adm. Code 725. Subpart J, except for 35 Ill. Adm. Code 725.297(c), 265.300, and 265.301; or
- 4) A transport vehicle or vessel that is closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

- c) Universal waste thermostats. A small quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
 - 1) A small quantity handler of universal waste shall contain in a container any universal waste thermostat that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

2) A small quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats provided the handler follows each of the following procedures:

- A) It removes the ampules in a manner designed to prevent breakage of the ampules;
- B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);
- C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
- D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;
- E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels for mercury;
- F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;
- G) It stores removed ampules in closed, non-leaking containers that are in good condition;
- H) It packs removed ampules in the container with packing

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materials adequate to prevent breakage during storage, handling, and transportation.

3) Required hazardous waste determination and further waste management.

A) A small quantity handler of universal waste that removes mercury-containing ampules from thermostats shall determine whether the following exhibit a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C:

- i) Mercury or clean-up residues resulting from spills or leaks; or
- ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining thermostat units).

B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the mercury, residues, or other waste and shall manage it is subject to 35 Ill. Adm. Code 722.

C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable Federal, State, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.114 Labeling and Marking

A small quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as follows:

- a) Universal waste batteries (i.e., each battery) or a container in which the batteries are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Battery(ies)", "Waste Battery(ies)", or "Used Battery(ies)";
- b) A container (or multiple container package unit), tank, transport vehicle, or vessel in which recalled universal waste pesticides, as described in Section 733.103(a)(1), are contained must be labeled or marked clearly as follows:

- 1) The label that was on or accompanied the product as sold or distributed; and
- 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
- c) A container, tank, or transport vehicle, or vessel in which unused pesticide products, as described in Section 733.103(a)(2), are

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contained must be labeled or marked clearly as follows:

1) Pesticide labeling:

- A) The label that was on the product when purchased, if still legible;
 - B) If using the labels described in subsection (c)(1)(A) above is not feasible, the appropriate label as required under USDOT regulation 49 CFR 172; or
 - C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) above is not feasible, another label prescribed or designated by the waste pesticide collection program administered or recognized by a state; and
- 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)"; and
- d) Universal waste thermostats (i.e., each thermostat) or a container in which the thermostats are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury Thermostat(s)", or "Waste Mercury Thermostat(s)", or "Used Mercury Thermostat(s)".

Section 733.115 Accumulation Time Limits

a) A small quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) below are met.

b) A small quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated or received from another handler if such activity is solely for the purpose of accumulation of such quantities of universal waste as are necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity is solely for the purpose of accumulation of such quantities of universal waste as are necessary to facilitate proper recovery, treatment, or disposal.

c) A small quantity handler of universal waste that accumulates universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways:

- 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
- 2) Marking or labeling each individual item or universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
- 3) Maintaining an on-site inventory system that identifies the date each universal waste became a waste or was received;
- 4) Maintaining an on-site inventory system that identifies the

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earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;

- 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
- 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

Section 733.116 Employee Training

A small quantity handler of universal waste shall inform all employees who handle or have responsibility of managing universal waste. The information must describe proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

Section 733.117 Response to Releases

- a) A small quantity handler of universal waste shall immediately contain all releases of universal waste and other residues from universal waste.
- b) A small quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the material resulting from the release and shall manage it in compliance with 35 Ill. Adm. Code 722.

Section 733.118 Off-Site Shipments

- a) A small quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a small quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of Subpart D of this Part while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a small quantity handler of universal waste shall package, label, mark, and placard the shipment and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 172 through 180.
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving

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handler agrees to receive the shipment.

- e) If a small quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:
 - 1) Receive the waste back when notified that the shipment has been rejected, or
 - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.

- f) A small quantity handler of universal waste may reject a shipment containing universal waste or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it shall contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler shall perform either of the following actions:
 - 1) Send the shipment back to the originating handler, or
 - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.

- g) If a small quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Agency (Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.

- h) If a small quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, State, or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.119 Tracking Universal Waste Shipments

A small quantity handler of universal waste is not required to keep records of shipments of universal waste.

Section 733.120 Exports

A small quantity handler of universal waste that sends universal waste to a foreign destination shall:

- a) Comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6) and (b); and 722.157;

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- b) Export such universal waste only upon consent of the receiving country and in conformance with the USEPA Acknowledgment of Consent, as defined in 35 Ill. Adm. Code 722.Subpart E; and
- c) Provide a copy of the USEPA Acknowledgment of Consent for the shipment to the transporter transporting the shipment for export.

SUBPART C: STANDARDS FOR LARGE QUANTITY HANDLERS

Section 733.130 Applicability

This Subpart applies to large quantity handlers of universal waste (as defined in Section 733.106).

Section 733.131 Prohibitions

A large quantity handler of universal waste is prohibited from the following:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases, as provided in Section 733.137, or by managing specific wastes, as provided in Section 733.133.

Section 733.132 Notification

- a) Written notification of universal waste management.

1) Except as provided in subsections (a)(2) and (a)(3) below, a large quantity handler of universal waste shall have sent written notification of universal waste management to the Regional Administrator of USEPA Region V (in Chicago) and to the Agency, and received a USEPA Identification Number, before meeting or exceeding the 5,000 kilogram storage limit.

2) A large quantity handler of universal waste that has already notified USEPA and the Agency of its hazardous waste management activities and has received a USEPA Identification Number is not required to renotify under this Section.

3) A large quantity handler of universal waste that manages recalled universal waste pesticides, as described in Section 733.103(a)(1), and that has sent notification to USEPA and the Agency, as required by 40 CFR 165, is not required to notify for those recalled universal waste pesticides under this Section.

- b) This notification must include:

- 1) The universal waste handler's name and mailing address;
- 2) The name and business telephone number of the person at the universal waste handler's site who should be contacted regarding universal waste management activities;
- 3) The address or physical location of the universal waste management activities;
- 4) A list of all of the types of universal waste managed by the handler (e.g., batteries, pesticides, thermostats);

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- 5) A statement indicating that the handler is accumulating more than 5,000 kilograms of universal waste at one time and the types of universal waste (e.g., batteries, pesticides, thermostats) the handler is accumulating above this quantity.

BOARD NOTE: At 60 Fed. Reg. 25520-21 (May 11, 1995), USEPA explained that the generator or consolidation point may use USEPA Form 8700-12 for notification. (To obtain ordering information for USEPA Form 8700-12 call the RCRA/Superfund Hotline at 1-800-424-9346 or 703-920-9810.) USEPA further explained that it is not necessary for the handler to aggregate the amounts of waste at multiple non-contiguous sites for the purposes of the 5,000 kilogram determination.

Section 733.133 Waste Management

a) Universal waste batteries. A large quantity handler of universal waste shall manage universal waste batteries in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:

1) A large quantity handler of universal waste shall contain in a container any universal waste battery that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed, structurally sound, compatible with the contents of the battery, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.

2) A large quantity handler of universal waste may conduct the following activities, as long as the casing of each individual battery cell is not breached and remains intact and closed (except that cells may be opened to remove electrolyte but must be immediately closed after removal):

- A) Sorting batteries by type;
- B) Mixing battery types in one container;
- C) Discharging batteries so as to remove the electric charge;
- D) Regenerating used batteries;
- E) Disassembling batteries or battery packs into individual batteries or cells;
- F) Removing batteries from consumer products; or
- G) Removing electrolyte from batteries.
- 3) A large quantity handler of universal waste that removes electrolyte from batteries or that generates other solid waste (e.g., battery pack materials, discarded consumer products) as a result of the activities listed above shall determine whether the electrolyte or other solid waste exhibits a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.
- A) If the electrolyte or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler

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is considered the generator of the hazardous electrolyte or other waste and is subject to 35 Ill. Adm. Code 722.

- B) If the electrolyte or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

- b) Universal waste pesticides. A large quantity handler of universal waste shall manage universal waste pesticides in a way that prevents releases of any universal waste or component of a universal waste to the environment. The universal waste pesticides must be contained in one or more of the following:

- 1) A container that remains closed, structurally sound, compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions;
 - 2) A container that does not meet the requirements of subsection (b)(1) above, provided that the unacceptable container is overpacked in a container that does meet the requirements of subsection (b)(1);
 - 3) A tank that meets the requirements of 35 Ill. Adm. Code 725.Subpart J, except for 35 Ill. Adm. Code 725.297(c), 725.300, and 725.301; or
 - 4) A transport vehicle or vessel that is closed, structurally sound, and compatible with the pesticide, and that lacks evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
- c) Universal waste thermostats. A large quantity handler of universal waste shall manage universal waste thermostats in a way that prevents releases of any universal waste or component of a universal waste to the environment, as follows:
- 1) A large quantity handler of universal waste shall contain in a container any universal waste thermostat that shows evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions. The container must be closed, structurally sound, compatible with the contents of the thermostat, and must lack evidence of leakage, spillage, or damage that could cause leakage under reasonably foreseeable conditions.
 - 2) A large quantity handler of universal waste may remove mercury-containing ampules from universal waste thermostats provided the handler follows each of the following procedures:
 - A) It removes the ampules in a manner designed to prevent

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breakage of the ampules;

- B) It removes ampules only over or in a containment device (e.g., tray or pan sufficient to collect and contain any mercury released from an ampule in case of breakage);

- C) It ensures that a mercury clean-up system is readily available to immediately transfer any mercury resulting from spills or leaks from broken ampules, from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;

- D) It immediately transfers any mercury resulting from spills or leaks from broken ampules from the containment device to a container that meets the requirements of 35 Ill. Adm. Code 722.134;

- E) It ensures that the area in which ampules are removed is well ventilated and monitored to ensure compliance with applicable OSHA exposure levels of mercury;

- F) It ensures that employees removing ampules are thoroughly familiar with proper waste mercury handling and emergency procedures, including transfer of mercury from containment devices to appropriate containers;

- G) It stores removed ampules in closed, non-leaking containers that are in good condition;

- H) It packs removed ampules in the container with packing materials adequate to prevent breakage during storage, handling, and transportation.

- 3) Required hazardous waste determination and further waste management.

- A) A large quantity handler of universal waste that removes mercury-containing ampules from thermostats shall determine whether the following exhibit a characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C.

- i) Mercury or clean-up residues resulting from spills or leaks; or
- ii) Other solid waste generated as a result of the removal of mercury-containing ampules (e.g., remaining thermostat units).

- B) If the mercury, residues, or other solid waste exhibits a characteristic of hazardous waste, it must be managed in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726 and 728. The handler is considered the generator of the mercury, residues, or other waste and is subject to 35 Ill. Adm. Code 722.

- C) If the mercury, residues, or other solid waste is not hazardous, the handler may manage the waste in any way that is in compliance with applicable federal, State or local solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility

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siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.134 Labeling and Marking

A large quantity handler of universal waste shall label or mark the universal waste to identify the type of universal waste as follows:

- a) Universal waste batteries (i.e., each battery), or a container or tank in which the batteries are contained, must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Battery(ies)"; or "Waste Battery(ies)"; or "Used Battery(ies)";
- b) A container (or multiple container package unit), tank, transport vehicle or vessel in which recalled universal waste pesticides as described in Section 733.103(a)(1) are contained must be labeled or marked clearly as follows:
 - 1) The label that was on or accompanied the product as sold or distributed; and
 - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
- c) A container, tank, or transport vehicle or vessel in which unused pesticide products, as described in Section 733.103(a)(2), are contained must be labeled or marked clearly as follows:
 - 1) Pesticide labeling:
 - A) The label that was on the product when purchased, if still legible.
 - B) If using the labels described in Subsection (c)(1)(A) above is not feasible, the appropriate label as required under the USDOT regulation 49 CFR 172; or
 - C) If using the labels described in subsections (c)(1)(A) and (c)(1)(B) above is not feasible, another label prescribed or designated by the pesticide collection program; and
 - 2) The words "Universal Waste-Pesticide(s)" or "Waste-Pesticide(s)";
- d) Universal waste thermostats (i.e., each thermostat) or a container or tank in which the thermostats are contained must be labeled or marked clearly with any one of the following phrases: "Universal Waste-Mercury Thermostat(s)", or "Waste Mercury Thermostat(s)" or "Used Mercury Thermostat(s)".

Section 733.135 Accumulation Time Limits

- a) A large quantity handler of universal waste may accumulate universal waste for no longer than one year from the date the universal waste is generated or received from another handler, unless the requirements of subsection (b) below are met.
- b) A large quantity handler of universal waste may accumulate universal waste for longer than one year from the date the universal waste is generated or received from another handler if such activity is solely

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for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal. However, the handler bears the burden of proving that such activity was solely for the purpose of accumulation of such quantities of universal waste as necessary to facilitate proper recovery, treatment, or disposal.

- c) A large quantity handler of universal waste shall be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received. The handler may make this demonstration in any of the following ways:
 - 1) Placing the universal waste in a container and marking or labeling the container with the earliest date that any universal waste in the container became a waste or was received;
 - 2) Marking or labeling the individual item of universal waste (e.g., each battery or thermostat) with the date it became a waste or was received;
 - 3) Maintaining an on-site inventory system that identifies the date the universal waste being accumulated became a waste or was received;
 - 4) Maintaining an on-site inventory system that identifies the earliest date that any universal waste in a group of universal waste items or a group of containers of universal waste became a waste or was received;
 - 5) Placing the universal waste in a specific accumulation area and identifying the earliest date that any universal waste in the area became a waste or was received; or
 - 6) Any other method that clearly demonstrates the length of time that the universal waste has been accumulated from the date it became a waste or was received.

Section 733.136 Employee Training

A large quantity handler of universal waste shall ensure that all employees are thoroughly familiar with proper waste handling and emergency procedures, relative to their responsibilities during normal facility operations and emergencies.

Section 733.137 Response to Releases

- a) A large quantity handler of universal waste shall immediately contain all releases of universal waste and other residues from universal waste.
- b) A large quantity handler of universal waste shall determine whether any material resulting from the release is hazardous waste, and if so, shall manage the hazardous waste in compliance with all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. The handler is considered the generator of the material resulting from the release, and is subject to 35 Ill. Adm. Code 722.

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Section 733.138 Off-Site Shipments

- a) A large quantity handler of universal waste is prohibited from sending or taking universal waste to a place other than another universal waste handler, a destination facility, or a foreign destination.
- b) If a large quantity handler of universal waste self-transport universal waste off-site, the handler becomes a universal waste transporter for those self-transportation activities and shall comply with the transporter requirements of Subpart D of this Part while transporting the universal waste.
- c) If a universal waste being offered for off-site transportation meets the definition of hazardous materials under 49 CFR 171 through 180, a large quantity handler of universal waste shall package, label, mark and placard the shipment, and prepare the proper shipping papers in accordance with the applicable USDOT regulations under 49 CFR 172 through 180.
- d) Prior to sending a shipment of universal waste to another universal waste handler, the originating handler shall ensure that the receiving handler agrees to receive the shipment.
- e) If a large quantity handler of universal waste sends a shipment of universal waste to another handler or to a destination facility and the shipment is rejected by the receiving handler or destination facility, the originating handler shall either:
 - 1) Receive the waste back when notified that the shipment has been rejected, or
 - 2) Agree with the receiving handler on a destination facility to which the shipment will be sent.
- f) A large quantity handler of universal waste may reject a shipment containing universal waste, or a portion of a shipment containing universal waste that it has received from another handler. If a handler rejects a shipment or a portion of a shipment, it shall contact the originating handler to notify the originating handler of the rejection and to discuss reshipment of the load. The handler shall perform either of the following actions:
 - 1) Send the shipment back to the originating handler, or
 - 2) If agreed to by both the originating and receiving handler, send the shipment to a destination facility.
- g) If a large quantity handler of universal waste receives a shipment containing hazardous waste that is not a universal waste, the handler shall immediately notify the Agency (Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761) of the illegal shipment, and provide the name, address, and phone number of the originating shipper. The Agency will provide instructions for managing the hazardous waste.
- h) If a large quantity handler of universal waste receives a shipment of non-hazardous, non-universal waste, the handler may manage the waste in any way that is in compliance with applicable federal, State or local solid (nonhazardous) waste regulations.

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Section 733.139 Tracking Universal Waste Shipments

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

- a) Receipt of shipments. A large quantity handler of universal waste shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:
 - 1) The name and address of the originating universal waste handler or foreign shipper from whom the universal waste was sent;
 - 2) The quantity of each type of universal waste received (e.g., batteries, pesticides, thermostats);
 - 3) The date of receipt of the shipment of universal waste.
- b) Shipments off-site. A large quantity handler of universal waste shall keep a record of each shipment of universal waste sent from the handler to other facilities. The record may take the form of a log, invoice, manifest, bill of lading or other shipping document. The record for each shipment of universal waste sent must include the following information:
 - 1) The name and address of the universal waste handler, destination facility, or foreign destination to whom the universal waste was sent;
 - 2) The quantity of each type of universal waste sent (e.g., batteries, pesticides, thermostats);
 - 3) The date the shipment of universal waste left the facility.
- c) Record Retention.
 - 1) A large quantity handler of universal waste shall retain the records described in subsection (a) above for at least three years from the date of receipt of a shipment of universal waste.
 - 2) A large quantity handler of universal waste shall retain the records described in subsection (b) above for at least three years from the date a shipment of universal waste left the facility.

Section 733.140 Exports

- A large quantity handler of universal waste that sends universal waste to a foreign destination shall:
- a) Comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6) and (b); and 722.157;
 - b) Export such universal waste only upon consent of the receiving country

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- and in conformance with the USEPA Acknowledgement of Consent as defined in Subpart E of 35 Ill. Adm. Code 722; and
- c) Provide a copy of the USEPA Acknowledgement of Consent for the shipment to the transporter transporting the shipment for export.

SUBPART D: STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

Section 733.150 Applicability

This Subpart applies to universal waste transporters (as defined in Section 733.106).

Section 733.151 Prohibitions

A universal waste transporter is prohibited from the following:

- a) Disposing of universal waste; and
- b) Diluting or treating universal waste, except by responding to releases as provided in Section 733.154.

Section 733.152 Waste Management

- a) A universal waste transporter shall comply with all applicable USDOT regulations in 49 CFR 171 through 180 for transport of any universal waste that meets the definition of hazardous material in 49 CFR 171.8, incorporated by reference in Section 720.111. For purposes of the USDOT regulations, a material is considered a hazardous waste if it is subject to the Hazardous Waste Manifest Requirements of 35 Ill. Adm. Code 722. Because universal waste does not require a hazardous waste manifest, it is not considered hazardous waste under the USDOT regulations.

- b) Some universal waste materials are regulated by the USDOT as hazardous materials because they meet the criteria for one or more hazardous classes specified in 49 CFR 173.2, incorporated by reference in Section 720.111. As universal shipments do not require a manifest under 35 Ill. Adm. Code 722, they may not be described by the USDOT proper shipping name "hazardous waste, (1) or (s), n.o.s.", nor may the hazardous materials' proper shipping name be modified by adding the word "waste".

Section 733.153 Accumulation Time Limits

- a) A universal waste transporter may only store the universal waste at a universal waste transfer facility for ten days or less.
- b) If a universal waste transporter stores universal waste for more than ten days, the transporter becomes a universal waste handler and shall comply with the applicable requirements of Subpart B or C of this Part while sorting the universal waste.

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Section 733.154 Response to Releases

- a) A universal waste transporter shall immediately contain all releases of universal waste and other residues from universal wastes.
- b) A universal waste transporter shall determine whether any material resulting from the release is hazardous waste, and if so, it is subject to all applicable requirements of 35 Ill. Adm. Code 702 through 705, 720 through 726, and 728. If the waste is determined to be a hazardous waste, the transporter is subject to 35 Ill. Adm. Code 722.

Section 733.155 Off-Site Shipments

- a) A universal waste transporter is prohibited from transporting the universal waste to a place other than a universal waste handler, a destination facility, or a foreign destination.
- b) If the universal waste being shipped off-site meets USDOT's definition of hazardous materials under 49 CFR 171.8, incorporated by reference in Section 720.111, the shipment must be properly described on a shipping paper in accordance with the applicable USDOT regulations under 49 CFR part 172.

Section 733.156 Exports

A universal waste transporter transporting a shipment of universal waste to a foreign destination may not accept a shipment if the transporter knows the shipment does not conform to the USEPA Acknowledgement of Consent. In addition, the transporter shall ensure the following:

- a) A copy of the USEPA Acknowledgment of Consent accompanies the shipment; and
- b) The shipment is delivered to the facility designated by the person initiating the shipment.

SUBPART E: STANDARDS FOR DESTINATION FACILITIES

Section 733.160 Applicability

- a) The owner or operator of a destination facility (as defined in Section 733.106) is subject to all applicable requirements of 35 Ill. Adm. Code 702 thorough 705, 720 through 726, and 728, and the notification requirement under Section 3010 of RCRA.
- b) The owner or operator of a designation facility that recycles a particular universal waste without storing that universal waste before it is recycled shall comply with 35 Ill. Adm. Code 721.106(c)(2).

Section 733.161 Off-Site Shipments

- a) The owner or operator of a destination facility is prohibited from

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sending or taking universal waste to a place other than a universal waste handler, another destination facility, or a foreign destination. b) The owner or operator of a destination facility may reject a shipment containing universal waste, or a portion of a shipment containing universal waste. If the owner or operator of the destination facility rejects a shipment or a portion of a shipment, it shall contact the shipper to notify the shipper of the rejection and to discuss reshipment of the load. The owner or operator of the destination facility shall perform either of the following actions:

- 1) Send the shipment back to the original shipper, or
- 2) If agreed to by both the shipper and the owner or operator of the destination facility, send the shipment to another destination facility.
- c) If the owner or operator of a destination facility receives a shipment containing hazardous waste that is not a universal waste, the owner or operator of the destination facility shall immediately notify the Agency (Division of Land Pollution Control, Illinois EPA, 2200 Churchill Road, Springfield, Illinois 62706 (telephone: 217-782-6761)) of the illegal shipment, and provide the name, address, and phone number of the shipper. The Agency will provide instructions for managing the hazardous waste.
- d) If the owner or operator of a destination facility receives a shipment of non-hazardous, non-universal waste, the owner or operator may manage the waste in any way that is in compliance with applicable federal or State solid (nonhazardous) waste regulations.

BOARD NOTE: See generally the Act and 35 Ill. Adm. Code 807 through 817 to determine whether additional State facility siting, special waste, or nonhazardous waste landfills apply to the waste. Consult the ordinances of relevant units of local government to determine whether local requirements apply.

Section 733.162 Tracking Universal Waste Shipments

- a) The owner or operator of a destination facility shall keep a record of each shipment of universal waste received at the facility. The record may take the form of a log, invoice, manifest, bill of lading, or other shipping document. The record for each shipment of universal waste received must include the following information:
 - 1) The name and address of the universal waste handler, destination facility, or foreign shipper from whom the universal waste was sent;
 - 2) The quantity of each type of universal waste received (e.g., batteries, pesticides, thermostats);
 - 3) The date of receipt of the shipment of universal waste.
- b) The owner or operator of a destination facility shall retain the records described in subsection (a) above for at least three years from the date of receipt of a shipment of universal waste.

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SUBPART F: IMPORT REQUIREMENTS

Section 733.170 Imports

Persons managing universal waste that is imported from a foreign country into the United States are subject to the applicable requirements of this Part immediately after the waste enters the United States, as follows:

- a) A universal waste transporter is subject to the universal waste transporter requirements of Subpart D of this Part.
- b) A universal waste handler is subject to the small or large quantity handler of universal waste requirements of Subpart B or C of this Part, as applicable.
- c) An owner or operator of a destination facility is subject to the destination facility requirements of Subpart E of this Part.

SUBPART G: PETITIONS TO INCLUDE OTHER WASTES

Section 733.180 General

- a) Any person seeking to add a hazardous waste or a category of hazardous waste to this Part may petition for a regulatory amendment as follows:

- 1) If USEPA has already added the waste or category of waste to 40 CFR 273: by identical-in-substance rulemaking, under Section 22.4(a) of the Act, 35 Ill. Adm. Code 101 and 103, 35 Ill. Adm. Code 720.120; or
- 2) If USEPA has not added the waste or category of waste to 40 CFR 273: by general rulemaking, under Sections 22.4(b) and 27 of the Act, 35 Ill. Adm. Code 101 and 103, this Subpart, and 35 Ill. Adm. Code 720.120 and 720.123.

BOARD NOTE: The Board cannot add a hazardous waste or category of hazardous waste to this Part by general rulemaking until USEPA authorizes the Illinois universal waste regulations. The Board may, however, add a waste or category of waste by identical-in-substance rulemaking.

- b) Petitions for identical-in-substance rulemaking.
 - 1) Any petition for identical-in-substance rulemaking under subsection (a)(1) above must include a copy of the Federal Register notice(s) of adopted amendments in which USEPA promulgated the addition(s) to 40 CFR 273. The Board will evaluate any petition for identical-in-substance rulemaking based on the Federal Register notice(s).
 - 2) If the petitioner desires expedited Board consideration of the proposed amendments to this Part (i.e., adoption within one year of the date of the Federal Register notice), it must explicitly request expedited consideration and set forth the arguments in favor of such consideration.
- c) Petitions for general rulemaking.
 - 1) To be successful using the general rulemaking procedure under

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subsection (a)(2) above, the petitioner must demonstrate to the satisfaction of the Board that each of the following would be true of regulation under the universal waste regulations of this Part:

- A) It would be appropriate for the waste or category of waste;
 - B) It would improve management practices for the waste or category of waste; and
 - C) It would improve implementation of the hazardous waste program.
- 2) The petition must include the information required by 35 Ill. Adm. Code 720.120(b). The petition should also address as many of the factors listed in Section 733.181 as are appropriate for the waste or waste category addressed in the petition.
- 3) The Board will evaluate petitions for general rulemaking and grant or deny the requested relief using the factors listed in Section 733.181. The decision will be based on the weight of evidence showing that regulation under this Part would fulfill the requirements of subsection (c)(1) above.

Section 733.181 Factors for Petitions to Include Other Wastes

- a) Hazardous waste listing or characteristics. The waste or category of waste, as generated by a wide variety of generators, is listed in Subpart D of 35 Ill. Adm. Code 721, or (if not listed) a proportion of the waste stream exhibits one or more characteristics of hazardous waste identified in Subpart C of 35 Ill. Adm. Code 721. (When a characteristic waste is added to the universal waste regulations of this Part by using a generic name to identify the waste category (e.g., batteries), the definition of universal waste in 35 Ill. Adm. Code 720.100 and Section 733.106 will be amended to include only the hazardous waste portion of the waste category (e.g., hazardous waste batteries).) Thus, only the portion of the waste stream that does exhibit one or more characteristics (i.e., is hazardous waste) is subject to the universal regulations of this Part;
- b) Generation by a wide variety of types of facilities. The waste or category of waste is not exclusive to a specific industry or group of industries, is commonly generated by a wide variety of types of establishments (including, for example, households, retail and commercial businesses, office complexes, conditionally exempt small quantity generators, small businesses, government organizations, as well as large industrial facilities);
- c) Generation by a large number of generators. The waste or category of waste is generated by a large number of generators (e.g., more than 1,000 nationally) and is frequently generated in relatively small quantities by each generator;
- d) Collection systems to ensure close stewardship. Systems to be used for collecting the waste or category of waste (including packaging, marking, and labeling practices) would ensure close stewardship of the

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- e) Waste management standards and risk to human health and the environment. The risk posed by the waste or category of waste during accumulation and transport is relatively low compared to other hazardous wastes, and specific management standards proposed or referenced by the petitioner (e.g., waste management requirements appropriate to be added to Sections 733.113, 733.133, and 733.152; or applicable USDOT requirements) would be protective of human health and the environment during accumulation and transport;
- f) Increased likelihood of diversion of waste from non-hazardous waste management systems. Regulation of the waste or category of waste under this Part will increase the likelihood that the waste will be diverted from non-hazardous waste management systems (e.g., the municipal waste stream, non-hazardous industrial or commercial waste stream, municipal sewer or stormwater systems) to recycling, treatment, or disposal in compliance with Subtitle C of RCRA;
- g) Improved implementation of the hazardous waste program. Regulation of the waste or category of waste under this Part will improve implementation of and compliance with the hazardous waste regulatory program; or
- h) Such other factors as may be appropriate.

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NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Pharmacy Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1330

3) Section Numbers:
1330.05 Proposed Action:
1330.65 Amendment, Renumbered
1330.70 New Section
Renumbered

4) Statutory Authority: Implementing Section 3 of the Pharmacy Practice Act of 1987 (225 ILCS 85/3).

5) A Complete Description of the Subjects and Issues Involved: Section 3 of the Pharmacy Practice Act of 1987 provides for patient counseling by pharmacists or their designees. This rulemaking establishes procedures for patient counseling.

The proposed rules provide that upon receipt of a new prescription, a drug utilization evaluation shall be performed and an offer to counsel shall be made. If the offer to counsel is accepted, the pharmacist or the student pharmacist under the personal supervision of the pharmacist shall counsel the patient or caregiver of such patient to the extent the pharmacist deems appropriate. Counseling may include, for example, the name and description of medication, refill information, actions to be taken in cases of missed doses, special directions and precautions for use, and common severe side effects, adverse effects, interactions, therapeutic contraindications and the action required should they occur.

Patient counseling shall not be required for inpatients of a hospital or other facility where a nurse or other licensed health care professional is authorized to administer the medication. The proposed rules also state that there is no requirement for documentation of the offer to counsel, the counseling or the refusal of counseling.

6) Will these proposed amendments replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no effect on local governments.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

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Department of Professional Regulation
Attention: Jean A. Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

All written comments received within 45 days of this issue of the Illinois Register will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Pharmacies

B) Reporting, bookkeeping or other procedures required for compliance: None. Documentation of the offer to counsel patients is not required by this rulemaking.

C) Types of professional skills necessary for compliance: Pharmacy skills are necessary for licensure.

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1330

PHARMACY PRACTICE ACT OF 1987

Section

- 1330.05 ~~1330-70~~ Definitions
 1330.10 Application for Certificate of Registration as a Pharmacy Technician
 1330.20 Approval of Pharmacy Programs
 1330.30 Graduates of Programs Not Approved Pursuant to the Provisions of Section 1330.20
 1330.40 Application for Examination
 1330.50 Examination for Licensure
 1330.55 Application for Licensure on the Basis of Examination
 1330.60 Reciprocity
 1330.65 Patient Counseling
 1330.70 Definitions (Renumbered)
 1330.75 Security Requirements
 1330.80 Violations
 1330.90 Divisions of Pharmacy Licenses
 1330.91 Division I Pharmacies
 1330.92 Division II Pharmacies
 1330.93 Division III Pharmacies
 1330.94 Division IV Pharmacies
 1330.95 Division V Pharmacies
 1330.96 Nonresident Pharmacies
 1330.99 Parenteral Product Standards
 1330.100 Application for a Pharmacy License
 1330.110 Granting Variances
 1330.120 Renewals
 1330.130 Restoration
 1330.140 Continuing Education

AUTHORITY: Implementing the Pharmacy Practice Act of 1987 [225 ILCS 85] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Pharmacy Practice Act, effective August 20, 1975; amended March 8, 1977; amended at 4 Ill. Reg. 1234, effective July 11, 1980; amended at 5 Ill. Reg. 2997, effective March 11, 1981; codified at 5 Ill. Reg. 11049; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 6496, effective June 30, 1983; amended at 9 Ill. Reg. 16918, effective October 23, 1985; amended at 10 Ill. Reg. 21913, effective December 17, 1986; transferred from Chapter I, 68 Ill. Adm. Code 330 (Department of Registration

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and Education) to Chapter VII, 68 Ill. Adm. Code 1330 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2957; amended at 12 Ill. Reg. 17394, effective October 14, 1988; amended at 16 Ill. Reg. 19811, effective December 7, 1992; amended at 20 Ill. Reg. _____, effective _____.

Section 1330.05 ~~1330-70~~ Definitions

"Act" means the Pharmacy Practice Act [225 ILCS 85].

"Authentication of Product History" means, but is not limited to, identifying the purchasing source, the ultimate disposition and any intermediate handling of any component of a radiopharmaceutical, diagnostic agent or device.

"Deliver" means the actual, constructive or attempted transfer of possession of a prescription medication.

"Dispense" means to interpret, select the prescribed product, prepare and/or deliver a prescription medication to an ultimate consumer or to a person authorized to receive the prescription medication by or pursuant to the lawful order of a practitioner, including the compounding, packaging, computer entry and/or labeling necessary for delivery and any recommending, advising and counseling concerning the contents, therapeutic values, uses and any precautions, warnings and/or advice concerning consumption.

"Distribute" means to deliver, other than by dispensing, a prescription medication.

"Division I pharmacy" is any pharmacy which engages in general community pharmacy practice and which is open to, or offers pharmacy service to, the general public.

"Division II pharmacy" is any pharmacy whose primary pharmacy service is provided to patients or residents of facilities licensed under the Nursing Home Care Reform Act [210 ILCS 45] ~~of 1979-1111-Rev-Stat-1991-411-127-par-451-453-et-seq-7~~ or the Hospital Licensing Act [210 ILCS 85] ~~1111-Rev-Stat-1991-411-127-par-451-453-et-seq-7~~, or the University of Illinois Hospital Act [110 ILCS 330] ~~1111-Rev-Stat-1991-411-127-par-1371-et-seq-7~~ and which is not located in the facility it serves.

"Division III pharmacy" is any pharmacy which is located in a facility licensed under the Nursing Home Care Reform Act ~~of 1979~~ or the Hospital Licensing Act, or the University of Illinois Hospital Act or a facility which is operated by the Department of Mental Health and Developmental Disabilities or the Department of

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Corrections, and which provides pharmacy services to residents or patients of the facility, as well as employees, prescribers and students of the facility.

"Division IV pharmacy" is any pharmacy which provides and/or offers for sale radiopharmaceuticals.

"Division V pharmacy" is any pharmacy which holds licenses in Division II or Division III which also provides pharmacy services to the general public, or is any pharmacy which is located in or whose primary pharmacy service is to ambulatory care facilities or schools of veterinary medicine or other such institution or facility (e.g., a university infirmary).

"Medication Order" means an order which is issued by a physician for a resident or patient of a facility licensed under the Nursing Home Care Reform Act of 1979 or the Hospital Licensing Act.

"Nonresident Pharmacy" means a pharmacy that is located outside this State which ships, delivers, dispenses or distributes into Illinois by any means any drugs, medicines, pharmaceutical services or devices requiring a prescription.

"Nuclear Pharmacist" means a pharmacist who provides radiopharmaceutical services and has satisfied the requirements of Section 1330.94(i).

"Patient counseling" means an offer to counsel shall be made by the pharmacist or the pharmacist's designee in a face-to-face communication with the patient, unless, in the professional judgment of the pharmacist, it is deemed inappropriate or unnecessary. In such instance, it would be permissible for the offer to counsel to be made in a written communication, by telephone or in a manner determined by the pharmacist to be appropriate.

"Patient profiles" or "patient drug therapy record" means the obtaining, recording, and maintenance of patient information.

"Pharmacist" means a registered pharmacist or registered assistant pharmacist.

"Prospective drug review" or "drug utilization evaluation" means a review of the screening for potential drug therapy problems due to therapeutic duplication, drug-disease contraindications, drug-drug interactions (including serious interactions with nonprescription or over-the-counter drugs), incorrect drug dosage or duration of drug treatment, drug-allergy interactions, and clinical abuse or misuse.

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"Radiopharmaceutical" means any substance defined as a drug in Section 3(b) of the Pharmacy Practice Act which exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of any such substance but does not include drugs such as carbon-containing compounds of potassium-containing salts which contain trace quantities of naturally occurring radionuclides. Radio-pharmaceuticals include radioactive biological products as defined in the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq. (1988)) and regulations promulgated thereunder.

"Radiopharmaceutical Quality Assurance" means, but is not limited to, the performance of appropriate chemical, biological, and physical tests on potential radiopharmaceuticals, and the interpretation of the resulting data to determine their suitability for use in humans and animals, including internal test assessment, authentication of product history and the keeping of proper records in these regards.

"Radiopharmaceutical Service" means the compounding, dispensing, labeling and delivery of radiopharmaceuticals; the participation in radiopharmaceutical selection and radiopharmaceutical utilization reviews; the proper and safe storage and distribution of radiopharmaceuticals as determined by the Illinois Department of Nuclear Safety; the maintenance of radiopharmaceutical quality assurance; the responsibility for advising, where necessary or required, of diagnostic and therapeutic values, hazards and use of radioactive pharmaceuticals; and the offering or performance of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a Division IV Pharmacy.

"Registrant" means a registered pharmacist, registered assistant pharmacist, or a registered pharmacy technician.

"Student Pharmacist" is a person registered as a pharmacy technician who is enrolled in a pharmacy program and is designated a "student pharmacist" pursuant to Section 9 of the Act.

"Ultimate consumer" means the person for whom a drug is intended.

"Unprofessional conduct" under Section 30 of the Act shall include, but not be limited to, any act of practice related to the practice of pharmacy which is wilful, wanton, repeated, or flagrant and likely to result in harm to an individual. In determining what constitutes unprofessional conduct, the Board shall consider, but shall not be limited to, the following standards as they relate to the person who is the subject of the proposed disciplinary action:

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Violations set forth in Section 30(a) ~~paragraph--4150(a)~~ of the Act;

Repeated commission of an act or acts that are of a flagrant and obvious nature so as to constitute conduct of such a distasteful nature that accepted codes of behavior or codes of ethics are breached;

Repeated commission of an act or acts in a relationship with a patient so as to violate common standards of decency or propriety;

Wilful violation or knowing assistance in the violation of any law relating to the use of habit-forming drugs;

Wilful preparation or signing false statements in order to induce payment for pharmacy services by the Department of Public Aid, or any other local, state or federal department, agency or governmental body, or any private insurance program; and

Violating practice Standards of the American Pharmaceutical Association/American Association of Colleges of Pharmacy Standards of Practice for the Profession of Pharmacy, published March 1979, which include no later editions or amendments, and which are herein incorporated by reference, in determining what is unprofessional conduct; however, non-compliance with these professional standards shall not alone be considered an act of unprofessional conduct unless these acts are of a flagrant, glaringly obvious nature constituting a substantial departure from these professional standards.

(Source: Section 1330.05 renumbered from Section 1330.70 and amended at 20 Ill. Reg. _____, effective _____)

Section 1330.65 Patient Counseling

a) Upon receipt of a new prescription, a prospective drug review or drug utilization evaluation shall be performed and an offer to counsel shall be made. If the offer to counsel is accepted, the pharmacist or the student pharmacist under the personal supervision of the pharmacist shall counsel the patient or caregiver of such patient to the extent the pharmacist deems appropriate. Such counseling may include, but is not limited to the following:

- 1) Name and description of medication;
- 2) Dosage form and dosage;
- 3) Route of administration;
- 4) Duration of therapy;
- 5) Techniques for self-monitoring;

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- 6) Proper storage;
- 7) Refill information;
- 8) Actions to be taken in cases of missed doses;
- 9) Special directions and precautions for preparation, administration and use;
- 10) Common SEVERE side effects, adverse effects, interactions, therapeutic contraindications and the action required should they occur.

b) If in the pharmacist's professional judgment oral counseling is not practicable, then the pharmacist may use alternative forms of patient information. Alternative forms of patient information may include written information leaflets, pictograph labels, video programs or information generated by electronic data processing equipment. When used in place of oral counseling, alternative forms of patient information shall advise the patient or caregiver that the pharmacist may be contacted for consultation in person at the pharmacy by toll-free telephone service or collect telephone service. A combination of oral counseling and alternative forms of counseling is encouraged.

c) The pharmacist or the pharmacist's designee must make a reasonable effort to maintain patient profiles as defined in Section 3(s) of the Act. Information in the profiles shall include, but is not limited to the following:

- 1) Name, date of birth (age), gender, address and telephone number;
- 2) Individual history of patient; if significant, include a comprehensive list of medications and devices;
- 3) Pharmacist's comments.

d) Patient identifiable information obtained by the pharmacist or the pharmacist's designee for the purpose of patient record maintenance, prospective drug review, drug utilization review and patient counseling shall be considered confidential information, as defined in Section 3(q) of the Act. A reasonable effort should be made to provide counseling based on such confidential information in a discreet, appropriate, informative and non-treatening manner. Any nonresident pharmacy shall comply with the requirement of an offer to counsel in the manner described in Section 3(r) of the Act and this Part.

f) Patient counseling as defined in this Section shall not be required for inpatients of a hospital or other facility where a nurse or other licensed health care professional is authorized to administer the medication. However, the pharmacist shall comply with the requirements of this Section when medications are provided by the pharmacy upon the patient's discharge from the hospital or facility. Nothing in this Section shall be construed to require documentation of the offer to counsel, the counseling or the refusal to counsel.

g)

(Source: Added at 20 Ill. Reg. _____, effective _____)

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Section 1330.70 Definitions (Renumbered)

(Source: Section 1330.70 renumbered to Section 1330.05 at 20 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: The Professional Engineering Practice Act of 1989

2) Code Citation: 68 Ill. Adm. Code 1380

3) Section Numbers: Proposed Action:

1380.240 Amendment
 1380.250 Amendment
 1380.280 Amendment
 1380.Appendix A Amendment

4) Statutory Authority: Implementing Sections 5 and 8 of the Professional Engineering Practice Act of 1989 [225 ILCS 325/5 and 8].

5) A. Complete Description of the Subjects and Issues Involved: Section 8 of the Professional Engineering Practice Act of 1989 requires any applicant who graduated from an engineering program outside the United States or its territories and whose first language is not English to submit certification of passage of the Test of English as a foreign language (TOEFL) and the Test of Spoken English (TSE) as defined by rule before taking the licensure examination. This rulemaking sets forth those procedures for all applicants applying after January 1, 1996, establishing a passing score of 550 for TOEFL and 50 for TSE.

The proposed amendments also establish that applicants who received their education in a foreign country shall have the education evaluated, at their expense, by the American Association of Collegiate Registrars and Admissions Officers.

6) Will these proposed amendments replace emergency rules currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives (if applicable): This rulemaking has no impact on local governments.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments to:

Department of Professional Regulation
 Attention: Jean A. Courtney
 320 West Washington, 3rd Floor
 Springfield, IL 62786

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217/795-0800

All written comments received within 45 days of this issue of the *Illinois Register* will be considered.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Businesses providing the services of licensed professional engineers.

B) Reporting, bookkeeping or other procedures required for compliance: Licensure applicants who received their education in a foreign country shall have the education evaluated, at their expense, by the American Association of Collegiate Registrars and Admissions Officers, Office of International Education.

C) Types of professional skills necessary for compliance: Professional engineering skills are required for licensure.

13) State reasons for this rulemaking if it was not included in either of the two most recent regulatory agendas: January 1996

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1380

THE PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989

Section	
1380.210	Approved Engineering Program
1380.220	Definition of Degree in Basic Engineering or Related Science
1380.230	Approved Experience
1380.240	Application for Enrollment as an Engineer Intern by Examination
1380.250	Application for Licensure as a Professional Engineer by Examination
1380.260	Examination
1380.270	Restoration
1380.280	Endorsement
1380.285	Inactive Status
1380.290	Corporations and Partnerships
1380.300	Standards of Professional Conduct
1380.305	Professional Engineer Complaint Committee
1380.310	Renewals
1380.320	Granting Variances

APPENDIX A

Significant Dates for the Administration of Section 19 of the Act - Endorsement

AUTHORITY: Implementing the Professional Engineering Practice Act of 1989 [225 ILCS 325] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Professional Engineering Act, effective March 10, 1976; codified at 5 Ill. Reg. 11055; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; Part repealed at 9 Ill. Reg. 10038, effective June 18, 1985; new Part adopted at 9 Ill. Reg. 10040, effective June 8, 1985; amended at 10 Ill. Reg. 19507, effective November 5, 1986; amended at 11 Ill. Reg. 8767, effective April 20, 1987; recodified from Chapter I, 68 Ill. Adm. Code 380 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1380 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2942; amended at 14 Ill. Reg. 247, effective December 28, 1990; amended at 15 Ill. Reg. 17729, effective November 26, 1991; amended at 16 Ill. Reg. 15553, effective September 28, 1992; amended at 18 Ill. Reg. 14737, effective September 19, 1994; amended at 19 Ill. Reg. 16076, effective November 17, 1995; amended at 20 Ill. Reg. _____, effective _____.

Section 1380.240 Application for Enrollment as an Engineer Intern by

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Examination

a) An applicant for enrollment as an Engineer Intern shall file an application on forms supplied by the Department by November 15 for the spring examination or by May 15 for the fall examination. The application shall include:

- 1) Either:
 - A) Completed college certification form showing receipt of a baccalaureate degree from an approved engineering program as set forth in Section 1380.210 of this Part; or
 - B) Completed college certification form showing receipt of a baccalaureate degree in basic engineering or related science evidenced by an official transcript of educational credit, and verification of at least 4 years of experience on form(s), completed by the supervisor.

ii) An applicant shall have acquired the experience required by this Section PRIOR TO applying to the Department;

iii) Applicants who received their education in a foreign country shall have the education evaluated, at their expense, by the American Association of Collegiate Registrars and Admissions Officers, Office of International Education. Applicants shall obtain the forms from the National Council of Examiners for Engineers (NCEES), P.O. Box 1646, Clemson, South Carolina 29633-1686. The Board will review the transcripts and evaluation submitted to the Department to determine if the education meets the requirements set forth in Section 1380.220;

2) The required fee specified in Section 20 of the Act;

3) For an applicant claiming credit for participation in a cooperative program, as described in Section 1380.230(a)(3), certification of such participation with a brief description of the program, from the university;

4) A complete work history indicating all employment since receipt of a baccalaureate degree. Such work history shall also include any experience earned PRIOR TO receipt of a baccalaureate degree pursuant to Section 8(b)(2) of the Act;

5) Proof of completion of the Test of English as a Foreign Language (TOEFL) with a score 550 and Test of Spoken English (TSE) with a score of 50 for all applicants applying after January 1, 1996, who graduated from an engineering program outside the United States or its territories and whose first language is not English. In order to determine countries whose first language is English, the applicant shall submit:

- A) An official verification that English is the only national language; and
- B) Verification that the engineering program is taught in

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English.

b) An applicant in an approved engineering program shall be eligible to be seated for the first available Fundamentals of Engineering examination during the 12 months prior to graduation if the applicant provides a certification stating that he/she he is expected to graduate by the end of that 12 month period. The applicant shall be allowed to retake the examination during that 12 month period if he/she he fails on the first attempt. However, an applicant who passes the Fundamentals of Engineering examination prior to graduation will not be enrolled as an Engineer Intern until the Department has received certification of graduation, as required by subsection (a)(1)(A), above. If certification of graduation is not received within one year after the first examination is taken, the results of the examination(s) will be void and the examination will have to be retaken.

c) Upon receipt of the application and all supporting documentation in complete order:

- 1) Persons with degrees from an approved engineering program will be notified of their eligibility to register for Part I of the examination;
- 2) The files of persons with degrees in basic engineering or related science will be presented to the Board for evaluation of the required experience and education based on the criteria specified in Sections 1380.220 and 1380.230. Once the applications have been approved, those persons will be notified of their eligibility to register for Part I of the examination, examination filing deadline and the required examination fee as provided for in Section 20 of the Act.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 1380.250 Application for Licensure as a Professional Engineer by Examination

- a) Applicant enrolled as an Engineer Intern
 - 1) An applicant shall have acquired all experience required by Section 1380.240 PRIOR TO making application to the Department.
 - 2) An applicant for licensure as a professional engineer who is enrolled as an Engineer Intern shall file an application on forms supplied by the Department by November 15 for the spring examination or by May 15 for the fall examination. The application shall include, in addition to the requirements of Section 8 of the Act, the following:
 - A) Experience verification form(s) completed by the supervisor, indicating the required 4 years of experience earned. For Engineer Interns enrolled with a degree in basic engineering or related science, experience verification forms shall be

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completed for the entire 8 years of required experience.

- B) For persons who were certified or enrolled as an Engineer Intern or Engineer-in-training in another state or territory:

- i) A certification of such enrollment from the appropriate state board, including the date of the examination; and
- ii) Completed college certification form showing degree received and, if the degree was not received from an approved engineering program, an official transcript of educational credit.

- C) The required fee specified in Section 20 of the Act.

- D) For an applicant claiming credit for participation in a cooperative program, as described in Section 1380.230(a)(3), certification of such participation with a brief description of the program, from the university.

- E) A complete work history indicating all employment since receipt of a baccalaureate degree. Such work history shall also include any experience earned prior to receipt of a baccalaureate degree pursuant to Section 8(b)(2) of the Act.
- 3) Upon receipt of the application and all supporting documentation in complete order, the applicant's file will be presented to the Board for evaluation of the required education and experience as specified in Sections 1380.210, 1380.220 and 1380.230. Once the application has been approved, those persons will be notified of their eligibility to register for Part II of the examination, examination filing deadline and the required examination fee as provided for in Section 20 of the Act.

- b) Applicant not enrolled as an Engineer Intern

- 1) An applicant shall have acquired all experience as required in Section 1380.240 PRIOR TO making application to the Department.

- 2) An applicant for registration as a professional engineer who is not enrolled or certified as an Engineer Intern shall file an application on forms supplied by the Department by November 15 for the spring examination or by May 15 for the fall examination. The application shall include, in addition to the requirements of Section 8 of the Act, the following:

- A) Education Engineer:

- i) A degree from an approved Engineering Program. Completed college certification form showing receipt of a baccalaureate degree from an approved engineering program, and completed experience verification form(s) completed by the supervisor, indicating the required 4 years of experience; or

- ii) A degree in Basic Engineering or Related Science. Completed college certification form showing receipt of a baccalaureate degree in basic engineering or related science; an official transcript of educational

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credit; and completed experience verification form(s) completed by the supervisor, indicating the required 8 years of experience.

- iii) Applicants who received their education in a foreign country shall have the education evaluated, at their expense, by the American Association of Collegiate Registrars and Admissions Officers, Office of International Education. The applicant shall obtain the forms from the National Council of Examiners for Engineers (NCEES), P.O. Box 1646, Clemson, South Carolina 29633-1686. The Board will review the evaluation submitted to the Department to determine if the education meets the requirements set forth in Section 1380.220.

- B) The required fee specified in Section 20 of the Act.

- C) For an applicant claiming credit for participation in a cooperative program, as described in Section 1380.230(a)(3), certification of such participation with a brief description of the program, from the university.

- D) A complete work history indicating all employment since receipt of a baccalaureate degree. Such work history shall also include any experience earned PRIOR TO receipt of a baccalaureate degree pursuant to Section 8(b)(2) of the Act.

- E) Proof of completion of the Test of English as a Foreign Language (TOEFL) with a score 550 and Test of Spoken English (TSE) with a score of 50 for all applicants applying after January 1, 1996, who graduated from an engineering program outside the United States or its territories and whose first language is not English. In order to determine countries whose first language is English, the applicant shall submit:

- i) An official verification that English is the only national language; and
- ii) Verification that the engineering program is taught in English.

- 3) Upon receipt of the application and all supporting documentation in complete order, the applicant's file will be presented to the Board for evaluation of education and required experience as specified in Sections 1380.210, 1380.220 and 1380.230. Once the application has been approved, those persons will be notified of their eligibility to register for both Part I and Part II of the examination, examination filing deadline, and the required examination fee as provided for in Section 20 of the Act.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

Section 1380.280 Endorsement

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- a) Any person who holds an unexpired certificate of registration or license to practice professional engineering, issued under the laws of another state or territory of the United States or the District of Columbia and who desires to become licensed by endorsement shall file an application, on forms provided by the Department, together with:

- 1) The required fee specified in Section 20 of the Act;⁷
- 2) Proof of meeting requirements substantially equivalent to those in force in this State state at the time of original or subsequent licensure by examination in the other jurisdiction, including certification of education, and verification of experience;⁷
- 3) A certification by the jurisdiction of original licensure and certification of current licensure from the jurisdiction of predominant active practice including the following:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
 - B) The basis of licensure and a description of all licensure examinations by which the applicant was licensed in that jurisdiction and the date of successful passage of such examinations; and
 - C) Whether the records of the licensing authority contain any record of any disciplinary action taken or pending against the applicant.

- 4) A complete work history, on forms provided by the Department.
- 5) If the qualifications of the applicant at the time of original licensure did not meet the requirements in effect at that time for licensure in this State, the applicant may submit additional certifications from other jurisdictions to indicate meeting the qualifications in effect in this State at the time of any later licensure.

- 6) In lieu of the documentation specified in subsections (a)(2), (3) and (5) above, an applicant may submit a current Council Record and Certification of Verification from NCEES.
- 7) Applicants who received their education in a foreign country shall have the education evaluated, at their expense, by the American Association of Collegiate Registrars and Admissions Officers, Office of International Education. Applicants shall obtain the forms from the National Council of Examiners for Engineers (NCEES), P.O. Box 1646, Clemson, South Carolina 29633-1686. The Board will review the transcripts and evaluation submitted to the Department to determine if the education meets the requirements set forth in Section 1380.220.

- 8) Proof of completion of the Test of English as a Foreign Language (TOEFL) with a score 550 and Test of Spoken English (TSE) with a score of 50 for all applicants applying after January 1, 1996, who graduated from an engineering program outside the United States or its territories and whose first language is not

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English. In order to determine countries whose first language is English, the applicant shall submit:

- A) An official verification that English is the only national language;
- B) Verification that the engineering program is taught in English.

- 9) ~~7~~ The Department may, in individual cases, upon the recommendation of the Board, waive a portion of the examination requirements after consideration of the quality of an applicant's engineering education and experience, including whether he has graduated from an approved engineering program, has achieved special honors or awards, has had articles published in professional journals, has participated in the writing of textbooks relating to professional engineering, and any other attribute which the Board accepts as evidence that such applicant has outstanding and proven ability in the practice of professional engineering.

10) ~~8~~ Acceptable Experience

- A) Applicants for endorsement having obtained the following acceptable experience, in accordance with Section 1380.230, PRIOR TO taking the Principles and Practice of Engineering Examination shall be considered in compliance with the experience requirements of Section 10 of the Act:
 - i) ~~A~~ Under Section 10(a) of the Act, at least 3 years and 9 months of acceptable experience after receipt of the baccalaureate degree, or
 - ii) ~~B~~ Under Section 10(b) of the Act, at least 7 years and 9 months of acceptable experience after receipt of the baccalaureate degree.

- B) ~~E~~ Applicants not meeting the above requirements of subsection (a)(10)(A) at the time of original or subsequent examination shall retake the Principles and Practice of Engineering Examination after meeting the necessary requirements.

- 11) ~~9~~ Appendix A of this Part outlines the licensure requirements in force during various periods and should be consulted by the applicant to aid in the evaluation of his/her ~~his~~ qualifications.

- b) The Department shall examine each endorsement application to determine whether the qualifications of the applicant at the time of original or subsequent licensure were substantially equivalent to the requirements then in force in this state. The Department shall either issue a license by endorsement to the applicant or notify such applicant of the reasons for the denial of the application. An applicant not qualified for licensure by endorsement will automatically be reviewed under the provisions of Section 1380.250.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 1380.APPENDIX A Significant Dates for the Administration of Section 19 of the Act - Endorsement

- a) July 20, 1945. The Illinois Professional Engineering Act became effective on July 20, 1945. Prior to that date, there was no legal requirement in Illinois governing the practice of Professional Engineering or requiring registration of engineers.
- b) July 20, 1946. That date terminated registration under the "Grandfather Clause," which exempted Illinois residents engaged in the practice of Professional Engineering from examination, unless affected by service in the armed forces of the United States including the Merchant Marine. Thereafter, full examination was required except as indicated under subsections (c) and (d), below.
- c) November 20, 1946. Prior to that date, graduates of approved engineering curricula with 4 or more years of professional engineering experience were eligible for registration by examination of their record of education, experience, and substantiating evidence. Written examination was not required.
- d) July 20, 1950. Prior to that date, graduates of approved engineering curricula with 4 or more years of professional engineering experience were required to take only Part II of the written examination for registration.
- e) Applicants originally licensed in New York or Pennsylvania prior to January 1, 1965, shall have their twelve-hour ~~twelve-hour~~ examination accepted for endorsement based on prior agreement.
- f) January 1, 1974. Prior to that date, an EIT applicant was eligible for examination upon proof of at least 4 years of study, training and experience.
- g) January 1, 1978. Prior to that date, an applicant who qualified with 8 years of combined education and experience would be admitted to the full examination.
- h) January 1, 1990 to January 1, 1994. An applicant seeking waiver of the fundamentals of engineering examination pursuant to Section 12(c) of the Act shall hold a doctoral degree from a graduate engineering program approved in accordance with Section 1380.210(f) and shall have demonstrated a broad knowledge of the fundamentals of engineering by successfully completing course work including 10 of the following subjects:
 - 1) Calculus
 - 2) Differential Equations
 - 3) Chemistry
 - 4) Physics
 - 5) Statistics
 - 6) Dynamics
 - 7) Materials Science or Structure of Matter
 - 8) Mechanics of Materials
 - 9) Electrical Circuits
 - 10) Fluid Mechanics

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11) Thermodynamics

12) Engineering Economics

- i) January 1, 1996. Proof of completion of the Test of English as a Foreign Language (TOEFL) with a score of 550 and Test of Spoken English (TSE) with a score of 50 for all applicants applying who graduated from an engineering program outside the United States or its territories and whose first language is not English.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Real Estate Appraiser Certification

2) Code Citation: 68 Ill. Adm. Code 1455

3) Section Numbers: Proposed Action:
1455.15 Amendment

4) Statutory Authority: Implementing and authorized by Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2]

5) A Complete Description of the Subjects and Issues Involved: The proposed rulemaking updates an existing incorporation by reference of the 1995 Uniform Standards of Professional Appraisal Practice (USPAP) to refer to the current 1996 edition of USPAP.

6) Will this rulemaking replace any emergency rulemaking currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? Yes; an existing incorporation by reference is being updated.

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rule will not affect local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested parties should submit written comments or views concerning the proposed rulemaking to the attention of:

John Arthur, Legislative Liaison
Office of the Commissioner of Savings and
Residential Finance
500 East Monroe, Suite 800
Springfield, IL 62701-1509
(217) 782-6181

The Agency will consider all written comments it receives in writing within 45 days of the date of publication of this *Illinois Register*.

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: Appraiser licensees under Article 2 of the Real Estate License Act of 1983.

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

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B) Reporting, bookkeeping or other procedures required for compliance:
None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment begins on the next page:

COMMISSIONER OF SAVINGS AND RESIDENTIAL FINANCE

NOTICE OF PROPOSED AMENDMENT

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1455

REAL ESTATE APPRAISER CERTIFICATION

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

Section	Definitions
1455.10	Uniform Standards of Professional Appraisal Practice
1455.15	Jurisdictional Exceptions/Supplemental Standards
1455.16	Education and Experience Requirements for State Licensed Real Estate Appraiser
1455.20	Education and Experience Requirements for Certified Residential and Certified General Real Estate Appraiser
1455.30	Application as a State Licensed Real Estate Appraiser, Certified Residential Real Estate Appraiser or Certified General Real Estate Appraiser
1455.40	Examination
1455.50	Nonresident Licensure/Certification
1455.60	Nonresident/Temporary Practice
1455.70	

SUBPART B: EDUCATION PROVIDERS

Section	Approval of Education Providers Courses
1455.200	Appraiser Continuing Education (CE)
1455.205	Fees - Education Providers/Courses (Repealed)

SUBPART C: GENERAL

Section	Renewals
1455.300	Fees
1455.305	Granting Variances

AUTHORITY: Implementing Article 2 of the Real Estate License Act of 1983 [225 ILCS 455/Art. 2] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 16 Ill. Reg. 16196, effective September 30, 1992, for a maximum of 150 days; rules adopted at 17 Ill. Reg. 1589, effective January 26, 1993; emergency amendment at 17 Ill. Reg. 6668, effective April 19, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13494, effective July 30, 1993; amended at 18 Ill. Reg. 2379, effective January 28, 1994; emergency amendment at 18 Ill. Reg. 3006, effective February 10, 1994,

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for a maximum of 150 days; amended at 18 Ill. Reg. 8428, effective May 24, 1994; amended at 19 Ill. Reg. 9176, effective June 26, 1995; emergency amendment at 19 Ill. Reg. 12503, effective August 16, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 16604, effective December 1, 1995; amended at 20 Ill. Reg. _____, effective _____.

SUBPART A: RESIDENTIAL AND GENERAL CERTIFICATION

Section 1455.15 Uniform Standards of Professional Appraisal Practice

- a) The 1996 1995 Uniform Standards of Professional Appraisal Practice (USPAP), adopted January 1, 1996 July--17--1995, by the Appraisal Standards Board of the Appraisal Foundation, 1029 Vermont Avenue, N.W., Suite 900, Washington, D.C. 20005-3517, are hereby incorporated by reference with no later amendments or editions.
- b) Real Estate Appraisers licensed/certified under the Act shall practice in accordance with USPAP standards except where the standard(s) is contrary to Illinois Law or public policy (USPAP, Jurisdictional Exception). Supplemental standards applicable to appraisals for specific purposes or property types may be issued by public agencies and certain client groups (e.g., regulatory agencies, eminent domain authorities, asset managers and financial institutions), provided that such supplemental standard(s) does not diminish the purpose, intent or content of the requirements of the USPAP.
- c) A copy of USPAP is available for inspection in the Office of Real Estate Appraisal Administration, Administrator's Office, Office of the Commissioner of Savings and Residential Finance Department--of Professional Regulation, located at 500 East Monroe, Suite 500 500 West--Washington, Springfield, Illinois 62701 62786 and may be purchased at cost from the Department, if available; and, is available for purchase from the Appraisal Standards Board of the Appraisal Foundation.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT(S)

1) Heading of the Part: Provider Requirements, Type Services, and Rates and Payment

2) Code Citation: 89 Ill. Adm. Code 686

3) Section Numbers: Proposed Action:
686.10 Amendments

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

5) A Complete Description of the Subjects and Issues Involved: The amendments are being made to clarify when and under what condition individuals who are 14-16 years old may be employed as personal assistants through the Home Services Program.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This is not applicable to this Rulemaking.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

Ms. Susan Warrner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217)785-3896
TTY: (217)785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

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Corporations affected: None
B) Reporting, bookkeeping or other procedures required for compliance:

None
C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Rule begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAM

PART 686

PROVIDER REQUIREMENTS, TYPE SERVICES, AND RATES OF PAYMENT

SUBPART A: PERSONAL ASSISTANTS

Section
686.10
686.20
686.30
686.40

Personal Assistant (PA) Requirements
Services Which May Be Provided by a PA
Annual Review of PA Performance
Payment for PA Services

SUBPART B: ADULT DAY CARE PROVIDERS

Section
686.100
686.110
686.120
686.130
686.140

Adult Day Care (ADC) Provider Requirements
Services Which Must Be Provided by ADC Providers
Annual Compliance Review of ADC Providers
Appeal of Compliance Review for ADC Providers
Payment for ADC Services

SUBPART C: HOMEMAKER SERVICES

Section
686.200
686.210
686.220
686.230
686.240

Homemaker Service Provider Requirements
Services Which Must Be Provided by Homemaker Agencies
Annual Compliance Review of Homemaker Agencies
Appeal of Compliance Review for Homemaker Agencies
Payment for Homemaker Services

SUBPART D: ELECTRONIC HOME RESPONSE SERVICES

Section
686.300
686.310
686.320
686.330
686.340
686.350

Electronic Home Response Services (EHRS) Provider Requirements
Services Which Must Be Provided by EHRS Providers
Minimum Specifications for EHRS Equipment
Annual Compliance Review of EHRS Providers
Appeal of Compliance Review for EHRS Providers
Rate of Payment for EHRS Services

SUBPART E: MAINTENANCE HOME HEALTH SERVICE

Section
686.400
686.410

Maintenance Home Health Provider Requirements
Rate of Payment for Maintenance Home Health Services

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SUBPART F: HOME DELIVERED MEALS

Section
686.500
686.510

Home Delivered Meals Provider Requirements
Rate of Payment for Home Delivered Meals

SUBPART G: ENVIRONMENTAL MODIFICATION

Section
686.600
686.610
686.620
686.630
686.640

Environmental Modification Provider Requirements
Cost of Environmental Modification
Permanency of Environmental Modification
Reason for Denial of Environmental Modification
Verification of Environmental Modification

SUBPART H: ASSISTIVE EQUIPMENT

Section
686.700
686.710
686.720

Assistive Equipment Provider Requirements
Provision of Assistive Equipment
Verification of Receipt of Assistive Equipment

SUBPART I: RESPIRE CARE

Section
686.800

Respite Care Provider Requirements

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3].

SOURCE: Adopted at 19 Ill. Reg. 5:04, effective March 21, 1995; amended at 20 Ill. Reg. _____, effective _____.

SUBPART A: PERSONAL ASSISTANTS

Section 686.10 Personal Assistant (PA) Requirements

In order to be employed by a customer as a PA (89 Ill. Adm. Code 676.30(q)), an individual must:

- a) have a Social Security number and provide DORS with documented verification of this number;
- b) be a minor between 14 and 16 years of age who is not employed during school hours, has an employment certificate and meets all other requirements of the Child Labor Law (820 ILCS 205) and has an adult who is at least 21 years of age and who is legally responsible for the customer who will supervise the PA; be 16 years of age or older, enrolled in school and not employed during school hours; or be 17 years of age or older and not enrolled in school; ~~be at least 16 years~~

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- of--age--and--not--employed--during--school--hours--17--years--of--age--and--a high--school--graduate--or--at--least--18--years--of--age:
- c) have provided to the customer at least two written or verbal recommendations from present or former employers, the recommendation of a Center for Independent Living (CIL), or, if never employed, references from at least two non-relatives;
 - d) be able to communicate with the customer to the satisfaction of the customer and counselor;
 - e) be able to follow directions to the satisfaction of the customer and counselor;
 - f) have previous experience and/or training that is adequate and consistent with the specific tasks required for safe and adequate care of the customer;
 - g) if the customer has a contagious infectious disease, have a physician, health care institution (i.e., hospital, nursing home, home health agency), or CIL certify, in writing, that he/she has the knowledge of precautionary procedures for the control of contagious infectious diseases, if it is anticipated that he/she will come into contact with bodily fluids, or be evaluated by a Registered Nurse licensed pursuant to the Illinois Nursing Act of 1987 (410 ILCS 199.1-199.17) or the Illinois Nursing Act of 1987 (410 ILCS 199.1-199.17) to determine that he/she has knowledge of such procedures;
 - h) complete a Client/Provider Agreement (IL 488-1947) (the IL 488-1947 is signed by the customer and PA showing mutual acceptance) which certifies the PA:
 - 1) shall provide services to the individual in accordance with his/her Service Plan (IL 499-1049) (89 Ill. Adm. Code 676.20(t));
 - 2) submit a monthly calendar listing of actual hours worked each pay period (1-15; 16-last working day of the month), as verified by the customer and in accordance with the number of hours authorized by DORS. The PA shall not claim more hours than approved by DORS. Unless prior approval has been granted by the counselor to address a temporary increased service need;
 - 3) shall make available to DORS and other designated agencies those records described in subsection (h)(2) above;
 - 4) shall maintain all customer information as confidential and not for release, either in writing or verbally, to anyone other than those designated by DORS in writing;
 - 5) shall not subcontract to any other person any of the services he/she has agreed to provide;
 - 6) shall provide services only while the individual is in his/her home and report to DORS any absence of the customer from his/her home (89 Ill. Adm. Code 676.20(k)) during the period covered by a Service Plan (89 Ill. Adm. Code 684);
 - 7) as a PA providing services to a customer of HSP, shall agree that the customer individual to whom he/she is providing services--as the customer--of--PA--services-- is responsible for locating, choosing, supervising, training, and disciplining as necessary,

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- the PA. Further, that the State of Illinois does not provide paid vacation, holiday, or sick leave; however, such absences shall be reported to the DORS counselor per the Documentation of Services Home--Services--Attachment--of--Services (IL 488-2251.1044) only for the purposes of processing payment;
- 8) understands that DORS reports all payments made to a PA to the Illinois Department of Employment Security (DES) and that the PA may apply for unemployment benefits, but DES, not DORS, makes the determination as to whether the PA shall receive benefits;
 - 9) understands that he/she may apply for Workers' Compensation benefits through DORS and that some customers' ~~individa~~ may carry such insurance coverage; however, DORS maintains that the customer, not DORS, is the employer for these purposes; and
 - 10) understands that DORS will withhold only Social Security tax (FICA) and ~~it is requested~~ union/fair share dues from payments made to him/her. Federal and State income tax can be withheld if the PA completes and returns to DORS two separate W-1 forms. No money will be withheld from any payment made through DORS for ~~federal or State income tax~~ or any other purpose, except in accordance with administrative or judicial orders;
 - i) complete an I-9 Immigration form, which must be retained by the customer;
 - j) for PAs starting on or after April 13, 1992, complete a PA Standards (IL 489-2112) to be returned to DORS; and
 - k) as of April 13, 1992, at the time of redetermination of eligibility of the customer by which he/she is employed, have completed by the customer, a Personal Assistant Evaluation (IL 488-2089).

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Ms. Susan Warner, Manager
Regulations and Procedures Division
Department of Rehabilitation Services
P.O. Box 13429
Springfield, Illinois 62794-9429
Telephone Number: (217)785-3896
TTY: (217)785-9301

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not affect small businesses.

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Services

2) Code Citation: 89 Ill. Adm. Code 590

3) Section Numbers:
590.720
Amendments

4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act (20 ILCS 2405/3) and authorized by Section 16 of the Civil Administrative Code of Illinois (20 ILCS 5/16).

5) A Complete Description of the Subjects and Issues Involved: The amendments clarify the conditions under which post-employment services may be provided to a customer of the Vocational Rehabilitation Program.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
590.460	Amendments	19 Ill. Reg. 15820
590.470	Amendments	19 Ill. Reg. 15820
590.480	Amendments	19 Ill. Reg. 15820
590.490	Amendments	19 Ill. Reg. 15820
590.500	Repealed	19 Ill. Reg. 15336
590.510	Repealed	19 Ill. Reg. 15336
590.520	Repealed	19 Ill. Reg. 15336
590.530	Repealed	19 Ill. Reg. 15336
590.540	Repealed	19 Ill. Reg. 15336
590.550	Repealed	19 Ill. Reg. 15336
590.560	Repealed	19 Ill. Reg. 15336
590.570	Repealed	19 Ill. Reg. 15336
590.580	Repealed	19 Ill. Reg. 15336

10) Statement of Statewide Policy Objectives: This is not applicable to this rulemaking.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning these rules within 45 days after this issue of the Illinois Register. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER B: VOCATIONAL REHABILITATION

PART 590
SERVICES

SUBPART A: APPLICABILITY

Section
 590.10
 590.20
 590.30
 590.35
 590.40

General Applicability
 Availability of Services
 Effect of Financial Status on Services
 Effect of Comparable Benefits
 Choice of Service Providers

SUBPART B: MEDICAL, PSYCHOLOGICAL AND RELATED SERVICES

Section
 590.50
 590.60
 590.70
 590.80
 590.90
 590.100
 590.110
 590.120
 590.130
 590.140
 590.150
 590.160
 590.170
 590.180
 590.190

Provision of Services
 Qualification of Medical and Psychological Service Providers
 Treatment of Acute Conditions
 Medication and Treatment
 Hearing Aids
 Binaural Hearing Aids
 Speech and Language Services
 Low Vision Aids
 Mental Restoration Services
 Heart Surgeries
 Kidney Transplant and Related Services
 Chiropractic Services
 Prosthetic and Orthotic Device
 Wheelchairs
 Prohibited Services

SUBPART C: TRAINING AND RELATED SERVICES

Section
 590.200
 590.210
 590.220
 590.230
 590.240
 590.250
 590.260
 590.270
 590.280
 590.290

Provision of Services
 Qualification of Training Facilities/Institutions
 Purpose and Types of Training
 Financial Guidelines for Training Services
 Graduate School Training
 Choice of Training Facility/Institution
 Summer School
 Grades
 Health Status
 On-the-Job Training

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

590.300
 Default on Educational Loans

SUBPART D: TOOLS, EQUIPMENT, SUPPLIES AND INITIAL STOCK

Section
 590.320
 590.325
 590.330
 590.340
 590.350
 590.360
 590.370

Provision of Services
 Self-Employment Program
 Services/Goods not Available
 Bidding Requirements
 Recovery of Tools, Equipment, Supplies and Initial Stock
 Transfer of Title
 Limitation of Financial Participation (Repealed)

SUBPART E: VEHICLE ADAPTATION AND ENVIRONMENTAL MODIFICATION

Section
 590.375
 590.380
 590.390
 590.400
 590.410
 590.420
 590.430
 590.440

Provision of Services
 Vendor Requirements
 Bidding Requirements
 Vehicle Adaptation
 DORS Financial Participation in Van Adaptation
 Environmental Modification
 Written Agreements for Environmental Modification
 Compliance with Capital Development Board Specifications

SUBPART F: PERSONAL SUPPORT SERVICES AND AUXILIARY AIDS

Section
 590.450
 590.460
 590.470
 590.480
 590.490

Provision of Services
 Types of Services
 Services
 Qualifications for Services Provided by Individuals
 Payment for Support Services Provided by Individuals and Conditions of Service Provision

SUBPART G: COMPUTER EQUIPMENT AND SENSORY AID LOAN

Section
 590.500
 590.510
 590.520
 590.530
 590.540
 590.550
 590.560
 590.570
 590.580

Provision of Services
 Definitions
 Purpose of Equipment Loans
 Criteria for Loan of Equipment/Aids
 Equipment/Aids Loan Request Procedures and Approval Process
 Duration of Loans
 Maintenance and Return of Equipment/Aids
 Assistance in Obtaining Permanent Equipment/Aids
 Limitations on Available Equipment/Aids

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

SUBPART H: OTHER SERVICES

Section

590.590 Provision of Services

590.600 Transportation and Temporary Lodging

590.610 Other Goods and Services

590.620 Equipment Sets

SUBPART I: PLACEMENT

Section

590.630 Provision of Placement Services

590.640 Description of Services

SUBPART J: MAINTENANCE

Section

590.650 Provision of Services

590.660 Definitions

590.670 Determination of the Need for Maintenance

590.675 Determination of Client Financial Participation in Maintenance

590.680 Exceptions to Basic Needs Level

SUBPART K: POST-EMPLOYMENT SERVICES

590.700

Provision of Services

590.710 Definitions

590.720 Scope of Services

SUBPART L: TRANSITION

590.730

Provision of Services

590.740 Definitions

590.750 Secondary Transitional Experience Program (STEP)

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and authorized by Section 16 of the Civil Administrative Code of Illinois [20 ILCS 5/16].

SOURCE: Emergency Rules adopted at 17 Ill. Reg. 11812, effective July 1, 1993, for a maximum of 150 days; adopted at 17 Ill. Reg. 20461, effective November 15, 1993; amended at 18 Ill. Reg. 11275, effective June 30, 1994; emergency amendment at 18 Ill. Reg. 16468, effective October 20, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. 7260, effective May 12, 1995; amended at 19 Ill. Reg. 7435, effective May 19, 1995; amended at 19 Ill. Reg. 10153, effective June 29, 1995; amended at 20 Ill. Reg. _____, effective _____.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

SUBPART K: POST-EMPLOYMENT SERVICES

Section 590.720 Scope of Services

Any service which may be provided to a customer client pursuant to this Part may be provided to a customer client in post-employment services when, in the counselor's professional judgement and with the concurrence of the customer client: the customer client requires these services to maintain, regain or advance in the employment consistent with the individual's abilities, capabilities, and interests which result in the Rehabilitation Act; such services are directly related to those services provided to the customer client in his/her original IWRP and amendments (89 Ill. Adm. Code 572); the need for possible post-employment services was identified at the time of closure of the customer's client's case; the services are not expected to last for an extended period of time will not extend an extended training period (i.e., six months or more); the customer will not require multiple services; and such services will improve the customer's client's level of independence and result in the termination of post-employment services. At any time services are expected to last in excess of 6 months, opening a new case should be discussed with the Customer.

(Source: Amended at 20 Ill. Reg. _____, effective _____.)

DEPARTMENT OF STATE POLICE
NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Electronic Transmission of Fingerprints
- 2) Code Citation: 20 Ill. Adm. Code 1265
- 3) Section Numbers:

<u>Proposed Action:</u>
1265.10 New Section
1265.20 New Section
1265.30 New Section
- 4) Statutory Authority: Implementing and authorized by Sections 3 and 3.1 of the Criminal Identification Act (20 ILCS 2630/3 and 3.1) and authorized by Section 55a of the Civil Administrative Code of Illinois (20 ILCS 2605/55a).

- 5) A Complete Description of the Subjects and Issues Involved: These rules describe procedure and policy relating to the electronic transmission of fingerprints to the Illinois State Police.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other proposed rulemakings pending on this Part? No

- 10) Statement of Statewide Policy Objectives: These rules will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Within 45 days after the date of publication of this Notice, any interested person may submit comments, data, views or argument regarding the proposed rules. The submissions must be in writing and directed to:

James W. Redlich
Chief Legal Counsel
Illinois State Police
102 Armory Building
P.O. Box 19461
Springfield, IL 62794-9461
(217)782-7658

- 12) Initial Regulatory Flexibility Analysis: The rulemaking has no effect on small businesses.

DEPARTMENT OF STATE POLICE
NOTICE OF PROPOSED RULES

- A) Types of small businesses, small municipalities and not-for-profit corporation affected: None
- B) Reporting, bookkeeping or other procedures required for compliance:
None
- C) Types of professional skills necessary for compliance: None
- 13) Regulatory Agenda on which this rulemaking was summarized: January 1996

The full text of the Proposed Rules begins on the next page.

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED RULES

licensees.

SUBPART B: OPERATIONS

Section 1265.30 Requirements

- a) Fingerprint images and related alpha numeric identification data submitted to the Department for the purpose of the fee applicant process shall be submitted by means of electronic transmission.
- b) Electronic transmission of fingerprint data to the Department shall be accomplished utilizing livescan procedures or other comparable technology approved for use by the Department.
- c) Electronic transmission of data is required for all fee applicant process inquiries to the Department and all fee applicant process inquiries made to the FBI through the Department.
- d) In the event of equipment malfunction or other special circumstance which makes electronic transmission of fingerprint data impractical, the Department may allow limited use of paper fingerprint records for fee applicant submissions.

DEPARTMENT OF STATE POLICE

NOTICE OF PROPOSED RULES

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER II: DEPARTMENT OF STATE POLICE

PART 1265
ELECTRONIC TRANSMISSION OF FINGERPRINTS

SUBPART A: PROMULGATION

Section
1265.10 Purpose
1265.20 Definitions

SUBPART B: OPERATIONS

Section
1265.30 Requirements

AUTHORITY: Implementing and authorized by Sections 3 and 3.1 of the Criminal Identification Act [20 ILCS 2630/3 and 3.1] and authorized by Section 55a of the Civil Administrative Code of Illinois [20 ILCS 2605/55a].

SOURCE: Adopted at 20 Ill. Reg. _____, effective _____.

SUBPART A: PROMULGATION

Section 1265.10 Purpose

The purpose of this Part is to provide requirements and procedures for the electronic transmission of fingerprint data to the Illinois State Police.

Section 1265.20 Definitions

The following definitions shall apply to this Part:

"Department" means the Illinois Department of State Police.

"FBI" means the Federal Bureau of Investigation.

"Electronic transmission" means the transmission of data by electronic method.

"Fee applicant process" means the procedure used by noncriminal justice agencies and other entities in conducting fingerprint-based criminal history background investigations of prospective employees or

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Subacute Alcoholism and Substance Abuse Treatment Services
- 2) Code Citation: 77 Ill. Adm. Code 2070
- 3) Section Numbers:
- | | | | |
|-----------|-------------|-----------|-------------|
| 2070.122 | New section | 2070.1868 | New section |
| 2070.124 | Renumbered | 2070.1960 | New section |
| 2070.130 | Amendment | 2070.1962 | New section |
| 2070.145 | Amendment | 2070.1964 | New section |
| 2070.146 | New section | 2070.1966 | New section |
| 2070.148 | Amendment | 2070.1968 | New section |
| 2070.157 | New section | 2070.1970 | New section |
| 2070.247 | Renumbered | 2070.1972 | New section |
| 2070.272 | Amendment | 2070.1974 | New section |
| 2070.273 | New section | 2070.1976 | New section |
| 2070.297 | New section | 2070.1978 | New section |
| 2070.388 | New section | 2070.1980 | New section |
| 2070.397 | New section | 2070.1982 | New section |
| 2070.606 | New section | 2070.1984 | New section |
| 2070.608 | New section | 2070.1986 | New section |
| 2070.640 | Amendment | 2070.1988 | New section |
| 2070.655 | Amendment | 2070.1990 | New section |
| 2070.667 | New section | 2070.1992 | New section |
| 2070.690 | Amendment | 2070.2217 | New section |
| 2070.695 | Amendment | 2070.2218 | New section |
| 2070.700 | Amendment | 2070.2232 | New section |
| 2070.720 | New section | 2070.2241 | New section |
| 2070.725 | New section | 2070.2242 | New section |
| 2070.730 | New section | 2070.2244 | New section |
| 2070.735 | New section | 2070.2248 | New section |
| 2070.740 | New section | 2070.2256 | New section |
| 2070.745 | New section | 2070.2258 | New section |
| 2070.815 | New section | 2070.2259 | New section |
| 2070.820 | New section | 2070.2266 | New section |
| 2070.825 | New section | 2070.2268 | New section |
| 2070.830 | New section | 2070.2269 | New section |
| 2070.835 | New section | 2070.2272 | New section |
| 2070.890 | Amendment | 2070.2277 | New section |
| 2070.999 | New section | 2070.2291 | New section |
| 2070.1120 | Amendment | 2070.2292 | New section |
| 2070.1186 | Renumbered | 2070.2293 | New section |
| 2070.1187 | New section | 2070.2294 | New section |
| 2070.1193 | New section | 2070.2297 | New section |
| 2070.1330 | Renumbered | 2070.2312 | New section |
| 2070.1520 | New section | 2070.2317 | New section |
| 2070.1550 | Amendment | 2070.2322 | New section |
| 2070.1750 | Renumbered | 2070.2350 | New section |
| | | 2070.2503 | New section |
| | | 2070.2515 | New section |
| | | 2070.2520 | New section |
| | | 2070.2545 | New section |
| | | 2070.2650 | New section |
| | | 2070.2655 | New section |

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

- 2070.1868 New section
- 2070.1960 New section
- 2070.1962 New section
- 2070.1964 New section
- 2070.1966 New section
- 2070.1968 New section
- 2070.1970 New section
- 2070.1972 New section
- 2070.1974 New section
- 2070.1976 New section
- 2070.1978 New section
- 2070.1980 New section
- 2070.1982 New section
- 2070.1984 New section
- 2070.1986 New section
- 2070.1988 New section
- 2070.1990 New section
- 2070.1992 New section
- 2070.2217 New section
- 2070.2218 New section
- 2070.2232 New section
- 2070.2241 New section
- 2070.2242 New section
- 2070.2244 New section
- 2070.2248 New section
- 2070.2256 New section
- 2070.2258 New section
- 2070.2259 New section
- 2070.2266 New section
- 2070.2268 New section
- 2070.2269 New section
- 2070.2272 New section
- 2070.2277 New section
- 2070.2291 New section
- 2070.2292 New section
- 2070.2293 New section
- 2070.2294 New section
- 2070.2297 New section
- 2070.2312 New section
- 2070.2317 New section
- 2070.2322 New section
- 2070.2350 New section
- 2070.2503 New section
- 2070.2515 New section
- 2070.2520 New section
- 2070.2545 New section
- 2070.2650 New section
- 2070.2655 New section

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

2070.2750 New section

4) Statutory Authority: Section 100 of the Illinois Controlled Substances Act (720 ILCS 570-100).

5) Effective Date of Rule(s): February 2, 1996

6) Do these rulemakings contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: January 30, 1996.

9) Notice(s) of Proposal Published in Illinois Register: September 1, 1995.

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Added clarifying language relative to the term "therapeutically significant" as it relates to ephedrine.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this rule replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule(s): Amendments and additions are necessary to make the rule consistent with federal scheduling and modification of the State Controlled Substances Act and to regulate the purchase of Ephedrine, a potentially dangerous drug.

16) Information and questions regarding these adopted amendments shall be directed to:

Name: Norma J. Seibert
Address: Illinois Department of Alcoholism and Substance Abuse
222 South College, 2nd Floor
Springfield, IL 62704
(217) 782-0685
TDD: (217) 524-5103

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER e: CONTROLLED SUBSTANCES ACTIVITIES

PART 2070

SCHEDULE OF CONTROLLED SUBSTANCES

SUBPART A: GENERAL

Definitions

Designated Products

Names Given to Listed Drugs

Excluded Substances

Excepted Compounds

SUBPART B: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE I

Section

Schedule I--Criteria

Schedule I--Enumeration

Opiates

Acetylmethadol

Acetyl-alpha-methylphenanthrene

Alfentanil (Renumerated)

Allyl-petidine

Alphacetylmethadol

Alphameprodine

Alphamethadol

Alpha-methylphenanthrene

Alpha-methylphenanthrene

1-methyl-4-phenyl-1-propionoxypiperidine (MPPP)

PEPAP 1-(2-phenylethyl)-4-phenyl-1-acetyloxypiperidine (PEPAP)

Benzethidine

Betacetylmethadol

Beta-cydropyrene

Betameprodine

Betamethadol

Betaprodine

Clonitazene

Dextromoramide

Diampromide

Diethylmethamphetamine

Difenoxin

Dimenoxadol

Dimepheptanol

Dimethylmethamphetamine

Dioxapnetrihydrate

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

2070.230	Dipipanone
2070.235	Ethylmethamylchiambutene
2070.240	Etonitazene
2070.245	Etoperidine
2070.247	3-Methylfentanyl (Renumbered)
2070.250	Furethidine
2070.255	Hydroxypethidine
2070.260	Ketobemidone
2070.265	Levomoramide
2070.270	Levophenacetylmorphan
2070.272	3-Methylfentanyl
2070.273	3-Methylthiofentanyl
2070.275	Morpheridine
2070.280	Noracymethadol
2070.285	Norievorphanol
2070.290	Normethadone
2070.295	Norpipanone
2070.297	Para-fluorofentanyl
2070.300	Phenadoxone
2070.310	Phenampromide
2070.320	Phenomorphan
2070.330	Phenoperidine
2070.340	Piritramide
2070.350	Proheptazine
2070.360	Propidine
2070.370	Propiram
2070.380	Racemoramide
2070.385	Sufentanil (Renumbered)
2070.388	Thiofentanyl
2070.390	Tilidine
2070.395	Tripeperidine
2070.397	Beta-hydroxy-3-methylfentanyl
2070.400	Opium Derivates
2070.405	Acetorphine
2070.410	Acetyldihydrocodeine
2070.415	Benzylmorphine
2070.420	Codeine methylbromide
2070.425	Codeine-N-Oxide
2070.430	Cyprenorphine
2070.435	Desomorphone
2070.440	Diacetyl dihydromorphone (Dihydroheroin)
2070.445	Dihydromorphone
2070.450	Protebanol
2070.455	Etorphine (except hydrochloride salt)
2070.460	Heroin
2070.465	Hydromorphanol
2070.470	Methyl desorphine
2070.475	Methyldihydromorphone

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

2070.480	Morphine methylbromide
2070.485	Morphine methylsulfonate
2070.490	Morphine-N-Oxide
2070.495	Myrophine
2070.500	Nicocodaine
2070.505	Nicomorphine
2070.510	Normorphine
2070.515	Phelcodine
2070.520	Thebacon
2070.600	Hallucinogenic Substances
2070.605	3, 4 Methylendioxyamphetamine
2070.606	Alpha-ethyltryptamine
2070.607	3,4 Methylendioxyamphetamine MDMA)
2070.618	3,4-Methylendioxy-N-ethylamphetamine
2070.610	3-methoxy-4, 5-methylendioxyamphetamine (MMDA)
2070.615	3, 4, 5-trimethoxyamphetamine (TMA)
2070.620	5-hydroxydimethyltryptamine (Bufotenine)
2070.625	Diethyltryptamine (DET)
2070.630	Dimethyltryptamine (DMT)
2070.635	4-methyl, 2, 5-dimethoxyamphetamine (DOM, STP)
2070.640	Ibogaine
2070.645	Lysergic acid diethylamide
2070.650	3, 4, 5-trimethoxyphenethylamine (Mescaline)
2070.655	Peyote
2070.660	N-methyl-3-piperidyl benzilate (JB 318)
2070.665	N-methyl-3-piperidyl benzilate
2070.667	N-hydroxy-3,4-methylendioxyamphetamine
2070.670	Parahexy
2070.675	Psilocybin
2070.680	Psilocyn
2070.685	Alpha-methyltryptamine (AMT)
2070.690	2,5-dimethoxyamphetamine BMA
2070.695	4-bromo-2,5-dimethoxyamphetamine BMA
2070.700	4-methoxyamphetamine (4-methoxy-alpha-methylphenethylamine: paramethoxyamphetamine, PMA)
2070.705	Thiophene analog of phenocyclidine (TPCP)
2070.710	Ethylamine analog of phenocyclidine
2070.715	Pyrrolidine analog of phenocyclidine
2070.720	5-methoxy-3,4-methylendioxy-amphetamine
2070.725	2,5-dimethoxy-4-ethylamphetamine
2070.730	1-[(2-thienyl) ethyl]hexyl pyrrolidine
2070.735	3,4-methylendioxy-amphetamine
2070.740	Thiophene analog of phenocyclidine
2070.745	Bufoterine
2070.750	Depressants
2070.755	Mecloqualone
2070.760	Methaqualone
2070.800	Stimulants

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

2070.805	Fenethylamine
2070.810	N-ethylamphetamine
2070.815	Aminorex
2070.820	Mefenorex
2070.825	Chatinone
2070.830	N,N-dimethylamphetamine
2070.835	(+ or -) cis-4-methylaminorex

SUBPART C: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE II

Section	Schedule II--Criteria
2070.900	Schedule II--Enumeration
2070.910	Narcotics
2070.915	Opium and Opiates
2070.925	Raw Opium
2070.930	Opium Extracts
2070.935	Opium Fluid Extracts
2070.940	Powdered Opium
2070.945	Granulated Opium
2070.950	Tincture of Opium
2070.955	Codeine
2070.960	Ethylmorphine
2070.965	Etorphine Hydrochloride
2070.970	Hydrocodone
2070.975	Hydromorphone
2070.980	Metopon
2070.985	Morphine
2070.990	Oxycodone
2070.995	Oxymorphone
2070.998	Thebaine
2070.999	Thebaine-derived butorphanol
2070.1100	Equivalencies
2070.1110	Opium poppy and poppy straw
2070.1120	Cocaine
2070.1130	Concentrate of Poppy Straw
2070.1150	Opiates
2070.1155	Alphaprodine
2070.1160	Anileridine
2070.1165	Benztramide
2070.1170	Bulk Dextropropoxyphene
2070.1175	Dihydrocodeine
2070.1180	Diprenoxylate
2070.1185	Fentanyl
2070.1186	Alfentanil
2070.1187	Carfentanil
2070.1190	Isometaxoline
2070.1193	Levo-alpha-acetylmethadol

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

2070.1195	Levomethorphan
2070.1200	Levorphanol
2070.1205	Metazocine
2070.1210	Methadone
2070.1215	Methadone--Intermediate
2070.1220	Moramide--Intermediate
2070.1225	Meperidine
2070.1230	Pethidine--Intermediate-A
2070.1235	Pethidine--Intermediate-B
2070.1240	Pethidine--Intermediate-C
2070.1245	Phenazocine
2070.1250	Piminodine
2070.1255	Racemethorphan
2070.1260	Racemorphan
2070.1265	Sufentanil
2070.1300	Stimulants
2070.1310	Amphetamine
2070.1320	Methamphetamine
2070.1330	Methylphenylate
2070.1370	Phenmetrazine
2070.1400	Depressants
2070.1405	Methaqualone (Renumbered)
2070.1410	Amobarbital
2070.1420	Secobarbital
2070.1425	Pentobarbital
2070.1430	Phencyclidine
2070.1435	Pentascene
2070.1439	Glutethimide
2070.1500	Immediate Precursors
2070.1505	Amphetamine and Methamphetamine
2070.1510	Phencyclidine
2070.1520	Nabilone
2070.1550	Dronabinol (synthetic)

SUBPART D: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE III

Section	Schedule III--Criteria
2070.1600	Schedule III--Enumeration
2070.1605	Stimulants
2070.1610	Excepted Compounds
2070.1615	Benzphetamine
2070.1620	Chlorpheniramine
2070.1625	Clortermine
2070.1630	Mazindol (Renumbered)
2070.1635	Phendimetrazine
2070.1640	Other Stimulants
2070.1700	Methylphenidate (Renumbered)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

2070.1800	Depressants
2070.1905	Barbiturates
2070.1910	Barbiturates - Suppository Dosage Form
2070.1925	Derivatives of Barbituric Acid
2070.1930	Chlorhexadol
2070.1935	Glutethimide (Renumbered)
2070.1940	Methyprylon
2070.1945	Sulfendiethylmethane
2070.1950	Sulfonmethane
2070.1955	Sulfonmethane
2070.1960	Lysergic Acid
2070.1965	Lysergic Acid Amide
2070.1968	Tiletamine or Zolazepam or Both
2070.1970	Pentazocine and Aspirin Aspirin Compound
2070.1975	Pentazocine and Acetaminophine
2070.1980	Pentazocine and Naloxone
2070.1990	Nalorphine
2070.1900	Narcotic Drugs
2070.1905	Codeine
2070.1910	Codeine
2070.1915	Dihydrocodeine
2070.1920	Dihydrocodeine
2070.1925	Dihydrocodeine
2070.1930	Ethylmorphine
2070.1935	Opium
2070.1940	Morphine
2070.1960	Anabolic Steroids
2070.1962	Androgen L.A.
2070.1964	Andro-Estro 90-4
2070.1966	DepANDROGIN
2070.1968	DEPO-T.E.
2070.1970	dePESTROGEN
2070.1972	Duomone
2070.1974	DURATESTRIN
2070.1976	DUO-SPAN II
2070.1978	Estratest
2070.1980	Estratest H.S.
2070.1982	PAN ESTRA TEST
2070.1984	Premarin with Methyltestosterone
2070.1986	TEST-ESTRO Cypionates
2070.1988	Testosterone Cyp 50 Estradiol Cyp 2
2070.1990	Testosterone Cypionate-Estradiol Cypionate Injection
2070.1992	Testosterone Branilate-Estradiol Valerate Injection
2070.2000	Excepted Compounds

SUBPART E: SCHEDULE OF CONTROLLED SUBSTANCES--
SCHEDULE IV

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

Section	Schedule IV--Criteria
2070.2100	Schedule IV--Enumeration
2070.2105	Narcotic Drugs
2070.2110	Difenoxin and Atropine Sulfate
2070.2115	Dextropropoxyphene
2070.2120	Depressants
2070.2200	Alprazolam
2070.2210	Barbital
2070.2215	Bromazepam
2070.2217	Camazepam
2070.2218	Chloral Betaine
2070.2220	Chloral Hydrate
2070.2225	Chlordiazepoxide
2070.2230	Globazam
2070.2232	Clonazepam
2070.2235	Clorazepate
2070.2240	Clofiazepam
2070.2241	Clofazepam
2070.2242	Delorazepam
2070.2244	Diazepam
2070.2245	Estazolam
2070.2248	Ethchlorvynol
2070.2250	Ethinamate
2070.2255	Ethyl loflazepate
2070.2256	Fludiazepam
2070.2258	Flunitrazepam
2070.2259	Flurazepam
2070.2260	Halazepam
2070.2265	Haloxazolam
2070.2266	Ketazolam
2070.2268	Loprazolam
2070.2269	Lorazepam
2070.2270	Lormetazepam
2070.2272	Mebutamate
2070.2275	Medazepam
2070.2277	Meprobamate
2070.2280	Methohexital
2070.2285	Mephobarbital
2070.2290	Midazolam
2070.2291	Nimetazepam
2070.2292	Nitrazepam
2070.2293	Nordiazepam
2070.2294	Oxazepam
2070.2295	Oxazolam
2070.2297	Paraldehyde
2070.2300	Peticloral
2070.2305	Phenobarbital
2070.2310	

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2070.2312 Pinazepam
2070.2315 Prazepam
2070.2317 Quazepam
2070.2320 Temazepam
2070.2322 Tetraxepam
2070.2325 Triazolam
2070.2330 Zolpidam
2070.2400 Fenfuramine
2070.2500 Stimulants
2070.2503 Cathine
2070.2505 Diethylpropion
2070.2515 Fencamfamin
2070.2520 Fenproporex
2070.2540 Mazindol
2070.2545 Mefenorex
2070.2630 Stimulants
2070.2635 Ephedrine
2070.2585 Phenetmine
2070.2570 Pemoline
2070.2575 Pipradrol
2070.2580 SPA
2070.2600 Excepted Compounds

SUBPART F: SCHEDULE OF CONTROLLED SUBSTANCES--
SCHEDULE V

Section
2070.2700 Schedule V--Criteria
2070.2705 Schedule V--Enumeration
2070.2710 Narcotic Drugs
2070.2712 Buprenorphine
2070.2715 Codeine
2070.2720 Dihydrocodeine
2070.2725 Ethylmorphine
2070.2730 Diphenoxylate
2070.2735 Opium
2070.2740 Difenoixin
2070.2750 Provalerone
2070.2800 Other Substances

AUTHORITY: Implementing and authorized by Section 100 of the Illinois Controlled Substances Act (720 ILCS 570/100).

SOURCE: Filed and effective November 19, 1975; rules repealed, new rules adopted at 2 Ill. Reg. 16, p. 151, effective April 24, 1978; amended at 2 Ill. Reg. 33, p. 63, effective August 15, 1978; amended at 2 Ill. Reg. 44, p. 127, effective October 30, 1978; amended at 2 Ill. Reg. 45, p. 19, effective November 10, 1978; amended at 2 Ill. Reg. 52, p. 283, effective January 5,

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1979; amended at 3 Ill. Reg. 8, p. 112, effective February 23, 1979; amended at 3 Ill. Reg. 12, p. 246, effective March 23, 1979; amended at 4 Ill. Reg. 33, p. 193, effective August 4, 1980; amended at 5 Ill. Reg. 2987, effective March 5, 1981; amended at 5 Ill. Reg. 5156, effective April 29, 1981; amended at 5 Ill. Reg. 13454, effective November 25, 1981; amended at 6 Ill. Reg. 5176, effective April 16, 1982; amended at 6 Ill. Reg. 7200, effective June 7, 1982; amended at 7 Ill. Reg. 16142, effective December 2, 1983; amended at 7 Ill. Reg. 16639, effective December 9, 1983; transferred to the Department of Alcoholism and Substance Abuse by the Alcoholism and Substance Abuse Act (supp. to Ill. Rev. Stat. 1983, ch. 111 1/2, pars. 634 et seq.) effective July 1, 1984; amended at 8 Ill. Reg. 13138, effective July 27, 1984; amended at 8 Ill. Reg. 16760, effective September 14, 1984; codified at 8 Ill. Reg. 19319; amended at 8 Ill. Reg. 21212, effective October 19, 1984; amended at 9 Ill. Reg. 1837, effective January 29, 1985; amended at 9 Ill. Reg. 10649, effective July 2, 1985; amended at 10 Ill. Reg. 914, effective January 7, 1986; amended at 10 Ill. Reg. 11222, effective June 16, 1986; emergency amendment at 10 Ill. Reg. 15662, effective September 10, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18159, effective October 8, 1986; amended at 10 Ill. Reg. 19709, effective November 6, 1986; emergency amendment at 11 Ill. Reg. 4048, effective February 24, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 5192, effective March 17, 1987; amended at 11 Ill. Reg. 11914, effective July 2, 1987; amended at 20 Ill. Reg. 3081, effective FEB 2 1996.

SUBPART B: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE I

Section 2070.122 Acetyl-alpha-methylfentanyl

Acetyl-alpha-methylfentanyl (N-(1-(1-methyl-2-pentenyl)-4-piperidinyl)-N-phenylacetamide)

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.124 Alfentanil (Renumbered)

(Source: For 3081 Section 2070.124 renumbered to Section 2070.1186 at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.130 Alphacetylmethadol

Alphacetylmethadol, except levo-alpha-cetylmethadol (also known as: levo-alpha-acetylmethadol, levomethacetyl acetate, or LAAM)

(Source: Amended at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.145 Alpha-methylfentanyl

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Alpha-methylthiofentanyl (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.146 Alpha-methylthiofentanyl (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Alpha-methylthiofentanyl (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.148 PEPAP 1-(2-phenylethyl)-4-phenyl-4-acetyloxypiperidine (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

PEPAP 1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.157 Beta-hydroxy-3-methylfentanyl (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Beta-hydroxy-3-methylfentanyl (Source: Amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.247 3-Methylfentanyl (Renumbered) (Source: Former Section 2070.247 renumbered to Section 2070.272 at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.272 3-Methylfentanyl (Source: Section 2070.272 renumbered from Section 2070.247 and amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.273 3-Methylthiofentanyl (Source: Section 2070.273 renumbered from Section 2070.247 and amended at 20 Ill. Reg 3081, effective FEB 2 1996)

3-Methylthiofentanyl (Source: Section 2070.273 renumbered from Section 2070.247 and amended at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.273 3-Methylthiofentanyl (Source: Section 2070.273 renumbered from Section 2070.247 and amended at 20 Ill. Reg 3081, effective FEB 2 1996)

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Alpha-methylthiofentanyl (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.297 Para-fluorofentanyl (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.388 Thiofentanyl (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Thiofentanyl (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.397 Beta-hydroxy-3-methylfentanyl (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Beta-hydroxy-3-methylfentanyl (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.606 Alpha-ethyltryptamine (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Alpha-ethyltryptamine (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.608 3,4-methylenedioxy-N-ethylamphetamine (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

3,4-methylenedioxy-N-ethylamphetamine (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Section 2070.640 Ibogaine (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

Ibogaine (Source: Added at 20 Ill. Reg 3081, effective FEB 2 1996)

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Section 2070.999 Thebaine-derived butorphanol

Inetaine-derived butorphanol

(Source: Added at 20 Ill. Reg. 3081 effective FEB 2 1996)

Section 2070.1120 Cocaine

Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves, which extractions do not contain cocaine or ecgonine (For the purpose of this paragraph, the term "isomer" includes optical, positional and geometric isomers).

(Source: Amended at 20 Ill. Reg. effective FEB 2 1996)

Section 2070.1186 2070-124 Alfentanil

Alfentanil

(Source: Renumbered from Section 2070.124 at 20 Ill. Reg. 3081 effective FEB 2 1996)

Section 2070.1187 Carfentanil

Carfentanil

(Source: Added at 20 Ill. Reg. effective FEB 2 1996)

Section 2070.1193 Levo-alpha-acetylmethadol

Levo-alpha-acetylmethadol (some other names: levo-alpha-acetylmethadol, levomethadyl acetate, LAAM)

(Source: Added at 20 Ill. Reg. effective FEB 2 1996)

Section 2070.1330 2070-1750 Methyphenidate

Methyphenidate

(Source: Renumbered from Section 2070.1750 at 20 Ill. Reg. effective FEB 2 1996)

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NOTICE OF ADOPTED AMENDMENTS

effective 20

FEB 2 1996

Section 2070.820 Methcathinone

3081

3081

FEB 2 1996

Section 2070.830 N,N-Dimethyl-2-pyrrolidone

as: N,N-Dimethyl-

3081

Section 2070.835 (+ or -) cis-4-methylaminorex

(+ or -) cis-4-methylaminorex ((- or -) cis-4,5-dihydro-4-methyl-4,5-phenyl-2-oxazolinone)

(Source: Added at 20 Ill. Reg. effective FEB 2 1996)

SUBPART C: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE II

Section 2070.920 Opium and Opiates

Opium and opiates, and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, dextrophan, levopropoxyphene, nalbuphine, naloxone, and naltrexone, and their respective salts, but including those enumerated in Sections 2070.925 to 2070.998.

(Source: Amended at 20 Ill. Reg. effective FEB 2 1996)

3081

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

Section 2070.1520 Nabilone

Nabilone

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1550 Dronabinol (synthetic)

Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a U.S. Food and Drug Administration-approved Administration drug product. Some other names: (6aR-trans)-6a,13,13a-tetrahydro-6,6,8,8-tetramethyl-3-pentyl-6H-dibenz[b,d]pyran-1-ol; (-)-delta-9-tetra-tetrahydrocannabinol.

(Source: Amended at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

SUBPART D: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE III

Section 2070.1750 Methylphenidate (Renumbered)

(Source: Former Section 2070.1750 renumbered to Section 2070.1330 at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1868 Tiletamine or Zolazepam or Both

Tiletamine or zolazepam or both, or any salt of either of them. Some trade or other names for a tiletamine-zolazepam combination product: Telazol. Some trade or other names for tiletamine: 2-(6-chloramido)-2,3-dihydro-1H-cyclohexanone. Some trade or other names for zolazepam: 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e], [1,4]-diazepin-(1H)-one, and fluprazepam.

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1960 Anabolic Steroids

Anabolic steroids, except the following anabolic steroids listed in Sections 2070.1962 to 2070.1992 that are exempt:

(Source: Added **FEB 2 1996** at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1962 Androgen L.A.

Androgen L.A.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1964 Andro-Estro 90-4

Andro-Estro 90-4

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1966 depANDROGYN

depANDROGYN

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1968 DEPO-T.E.

DEPO-T.E.

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1970 dePTESTROGEN

dePTESTROGEN

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1972 Duomone

Duomone

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1974 DURATESTRIN

DURATESTRIN

(Source: Added at 20 Ill. Reg. **3081**, effective **FEB 2 1996**)

Section 2070.1976 DUO-SPAN II

DUO-SPAN II

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(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1978 EstratestEstratest

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1980 Estratest H.S.Estratest H.S.

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1982 PAN ESTRA TESTPAN ESTRA TEST

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1984 Premarin with MethyltestosteronePremarin with Methyltestosterone

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1986 TEST-ESTRO CypionatesTEST-ESTRO Cypionates

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1988 Testosterone Cyp-50-Estradiol Cyp 2Testosterone Cyp-50-Estradiol Cyp 2

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1990 Testosterone Cypionate-Estradiol Cypionate InjectionTestosterone Cypionate-Estradiol Cypionate Injection

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(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.1992 Testosterone Enanthate-Estradiol Valerate InjectionTestosterone Enanthate-Estradiol Valerate Injection

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

SUBPART E: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE IV

Section 2070.2217 BromazepamBromazepam

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.2218 CamazepamCamazepam

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.2232 ClobazamClobazam

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.2241 ClotiazepamClotiazepam

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.2242 CloxazolamCloxazolam

(Source: Added at 20 Ill. Reg. 3081,
FEB 2 1996) effective

Section 2070.2244 Delorazepam

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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<u>Delorazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2248 <u>Estazolam</u>	
<u>Estazolam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2256 <u>Ethyl Loflazepate</u>	
<u>Ethyl loflazepate</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2258 <u>Fludiazepam</u>	
<u>Fludiazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2259 <u>Flunitrazepam</u>	
<u>Flunitrazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2266 <u>Haloxazolam</u>	
<u>Haloxazolam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2268 <u>Retazolam</u>	
<u>Retazolam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2269 <u>Loprazolam</u>	
<u>Loprazolam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2272 <u>Lormetazepam</u>	
<u>Lormetazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2277 <u>Medazepam</u>	
<u>Medazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2291 <u>Midazolam</u>	
<u>Midazolam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2292 <u>Nimetazepam</u>	
<u>Nimetazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2293 <u>Nitrazepam</u>	
<u>Nitrazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2294 <u>Nordiazepam</u>	
<u>Nordiazepam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)
Section 2070.2297 <u>Oxazolam</u>	
<u>Oxazolam</u>	(Source: Added at 20 Ill. Reg. <u>3081</u> effective <u>FEB 2 1996</u>)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

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Oxazolam

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2312 PinazepamPinazepam

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2317 QuazepamQuazepam

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2322 TetrazepamTetrazepam

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2350 ZolpidamZolpidam

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2503 CathineCathine ((+)-norpseudoephedrine)

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2515 FencamfaminFencamfamin

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2520 Fenproporex

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

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Fenproporex

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2545 MefenorexMefenorex

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2650 Stimulants

Any material, compound, mixture, or preparation that contains any quantity of the following substance listed in Section 2070.2655 having a stimulant effect on the central nervous system, including its salts, enantiomers (optical isomers) and salts of enantiomers (optical isomers).

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

Section 2070.2655 Ephedrine

Ephedrine as the only active medicinal ingredient or in combination with therapeutically insignificant quantities of another active medicinal ingredient. Anything less than 200 milligrams of Guaifenesin shall be considered therapeutically insignificant.

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

SUBPART F: SCHEDULE OF CONTROLLED SUBSTANCES--SCHEDULE V

Section 2070.2750 PyrovaleronePyrovalerone

(Source: Added at 20 Ill. Reg. 3081, effective FEB 2 1996)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Subacute Alcoholism and Substance Abuse Treatment Services
- 2) Code Citation: 77 Ill. Adm. Code 2080
- 3) Section Numbers:
 Adopted Action:
 2080.120 Amendment
 2080.110 Amendment
 2080.120 Amendment
 2080.150 Renumbered, New section
 2080.160 Renumbered
 2080.170 Renumbered
 2080.180 Renumbered

- 4) Statutory Authority: Section 302(d) and 308 of Article III of the Illinois Controlled Substances Act [720 ILCS 570-302(d) and 308].

- 5) Effective Date of Rule(s): February **2**, 1996

- 6) Do these rulemakings contain an automatic repeal date? No

- 7) Do these rules contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: January 30, 1996.

- 9) Notice(s) of Proposal Published in Illinois Register: September 1, 1995

- 10) Has JCAR issued a Statement of Objections to these rules? No

- 11) Difference(s) between proposal and final version: Added clarification regarding definition of electronic transmission.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rule replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Rule(s): Amendments are necessary for consistency with federal law and new state law regarding partial filing of schedule II "designated products." It will also implement new state law regarding facsimile transmission of prescriptions to pharmacies and will exempt certain long term care and home infusion services from the triplicate prescription requirements.

- 16) Information and questions regarding these adopted amendments shall be directed to:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

Name: Norma J. Seibert
 Address: Illinois Department of Alcoholism and Substance Abuse
 222 South College, 2nd Floor
 Springfield, IL 62704
 (217) 782-0685
 TDD: (217) 524-5133

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH
CHAPTER X: DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE
SUBCHAPTER e: CONTROLLED SUBSTANCES ACTIVITIESPART 2080
TRIPPLICATE PRESCRIPTION CONTROL PROGRAM

Section	Authority
2080.10	Incorporation by Reference and Definitions
2080.20	General Description
2080.30	Official Triplicate Prescription Blanks
2080.40	Authorized Prescribers
2080.50	Application
2080.60	Official Triplicate Prescription Requirements
2080.70	Prohibited use of the Official Triplicate Prescription Blank
2080.80	Administering and dispensing of a Schedule II designated product by a prescriber
2080.90	Pharmacist responsibility
2080.100	Partial filling of prescriptions
2080.110	Emergency situations
2080.120	Prescriptions from out-of-state prescribers and exempt Federal practitioners
2080.130	Exemptions for prescribers in hospitals and institutions
2080.140	Exemptions for narcotic treatment programs
2080.150	care and home infusion services
2080.160	Exemptions for narcotic treatment programs
2080.170	Exemptions for research
2080.180	Investigatory and regulatory referrals

AUTHORITY: Implementing and authorized by Sections 302(d) and 308 of Article III of the Illinois Controlled Substances Act (720 ILCS 570/302(d) and 308).

SOURCE: Adopted at 10 Ill. Reg. 4497, effective March 3, 1986; amended 107, Ill. Reg. 11424, effective July 6, 1993; amended at 20 Ill. Reg. effective FEB 2 1996.

Section 2080.20 Incorporation by Reference and Definitions

No incorporation by reference in this Part includes any later amendments or editions. The definitions which apply to this Part are those found in the Act:

"Act" means the Illinois Controlled Substances Act (720 ILCS 570/100-et-seq.).

"Department" means the Illinois Department of Alcoholism and Substance Abuse, or its successor agency.

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"Drug Dependence dependence" means a state, psychic and sometimes also physical, resulting from interaction between a living organism and a drug, characterized by behavioral and other responses that always include a compulsion to take the drug on a continuous or periodic basis in order to experience its psychic effects, and sometimes to avoid the discomfort of its absence. Tolerance may or may not be present. A person may be dependent on more than one drug.

"Electronic Transmission" means using a computer system to transmit prescriptions from a prescriber directly to a pharmacy.

"Exempt Federal Practitioners" means those practitioners specifically exempted pursuant to 21 CFR 1301 (1992).

"Exempt Prescribers prescribers in Hospitals hospitals and Institutions institutions" means prescribers in hospitals or institutions licensed under the Hospital Licensing Act (1991-Rev. Stat. 1991-CH-113-1-27-para. 1-2-et-seq.) (210 ILCS 95/1-1992) who authorize the administration or dispensing of Schedule II designated products within the hospital or institution.

"Facsimile Equipment" means any device which is capable of sending or receiving facsimile of documents through connection with a telecommunications network.

"Illinois Controlled Substances License Number" means the State authorization number issued by the Department of Professional Regulation permitting prescribers to possess, prescribe or dispense controlled substances in Illinois pursuant to the Controlled Substances Act (see 77 Ill. Adm. Code 1650.70).

"Long Term Care Facility" means a facility licensed by the Department of Public Health as a skilled nursing facility, intermediate care facility, or long term care facility for residents under 22 years of age.

"National Drug Code Identification Number" means the number used to provide uniform product identification for all commercially distributed drugs in the United States.

"Official Triplicate Prescription Blank" means the official prescription blanks for the triplicate prescription program supplied to prescribers by the Department for prescribing Schedule II designated product controlled substances.

"Out-of-state Prescribers prescribers" means those prescribers having a valid Drug Enforcement Administration Registration to prescribe Schedule II controlled substances pursuant to 21 CFR 1301 (1992) and

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who are also licensed to prescribe Schedule II designated products in the states where they maintain a professional license to practice.

"Pharmacy Inventory Control Form form" means the official form used by the Department for the purpose of obtaining uniform reports from Illinois pharmacies related to the dispensing of Schedule II controlled substance prescription drugs pursuant to the written order of an out-of-state or exempt Federal prescriber.

"Prescribed" means ordered as treatment by a prescriber either verbally or in writing.

"Schedule II Designated Product designated-product" means any narcotic drug, amphetamine, phenmetrazine, methamphetamine, glutethimide, or pentazocine product listed in Schedule II and also means any controlled substance listed in Schedule II which is determined and designated by the Department to be such a product under Section 102(n) of the Act. (111-CR-1991-56-1-27-par-319240)

(Source: Amended at 20 Ill. Reg. **3107**, effective **FEB 2 1996**)

Section 2080.110 Partial filling of prescriptions

a) General

When the pharmacist can only partially fill a prescription, the pharmacist shall annotate the Official Triplicate Prescription Blank or written record of emergency prescription with the total quantity of the Schedule II designated product product dispensed. The remaining quantity of the prescription shall be filled within 72 hours of the first partial filling. Where the full quantity prescribed cannot be supplied within 72 hours, the pharmacist shall notify the prescriber that no further quantity may be supplied without a new Official Triplicate Prescription Blank.

b) In-patient care facility

1) A prescription prescriptions for a Schedule II designated product products written for patients in nursing-nurses hospices or similar facilities or Long Term Care Facilities (LTCF) licensed by the Department of Public Health or for a patient with a medical diagnosis documenting a terminal illness may be dispensed in partial quantities to include individual dosage units. If there is any question whether a patient may be classified as having a terminal illness, the pharmacist must contact the practitioner prior to partially filling the prescription. Both the pharmacist and the practitioner have a corresponding responsibility to assure that the controlled substance is for a terminally ill patient. The pharmacist must record on the prescription whether the patient is "terminally ill" or a "LTCF

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patient". A prescription that is partially filled and does not contain the notation "terminally ill" or a "LTCF patient" shall be deemed to have been filled in violation of the Act. For each partial filling, the dispensing pharmacist shall record on the back of the prescription (or on another appropriate record uniformly maintained and readily retrievable), the date of the partial filling, quantity dispensed, remaining quantity authorized to be dispensed, and the identification of the dispensing pharmacist. Prior to a subsequent partial filling the pharmacist is to determine that the additional partial filling is necessary. The total quantity of Schedule II designated product products dispensed in all partial fillings shall not exceed the total quantity prescribed. Schedule II designated product prescriptions for patients in a LTCF, nursing-nurses, hospices, or similar facilities licensed by the Department of Public Health or patients with a medical diagnosis documenting a terminal illness shall be valid for a period of time not to exceed 60 days from the issue date unless sooner terminated by the discontinuance of medication.

2) Information pertaining to current Schedule II prescriptions for patients in a LTCF or for patients with a medical diagnosis documenting a terminal illness may be maintained in a computerized system if this system has the capability to permit:

A) Output (display or printout) of the original prescription number, date of issue, identification of prescribing individual practitioner, identification of patient, address of the LTCF or address of the hospital or residence of the patient, identification of medication authorized (to include dosage form, strength, and quantity), listing of the partial fillings that have been dispensed under each prescription and the information as set forth above.

B) Immediate updating of the prescription record each time a partial filling of the prescription is conducted.

C) Retrieval of partially filled Schedule II prescriptions. Information is the same as required by Section 1306.22(b)(4) and (5) of the federal regulation regarding "Prescriptions", 21 CFR 1306 (1995), for Schedule III and IV prescription prescriptions.

3) Where a Schedule II designated product has been discontinued prior to the dispensing of the full amount of the prescription, the pharmacist shall indicate the actual amount of medication dispensed on the face of the Official Triplicate Prescription Blank.

4) Submission of Official Triplicate Prescription Blank

A) When the in-patient care facility pharmacy has dispensed the total amount of a Schedule II designated product prescribed, the pharmacist shall submit the State copy of the Official Triplicate Prescription Blank to the Department's

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Springfield office by the 15th day of the month following the month in which the total amount was dispensed.

- B) When the pharmacist determines that the prescription can only be filled on a partial basis (e.g., patient death, prescriber discontinues medication order, etc.), the pharmacist shall annotate the prescription with the total quantity of the Schedule II designated product dispensed and submit the blank to the Department's Springfield Office by the 15th day of the following month.

(Source: Amended at 20 Ill. Reg. **3107**, effective **FEB 2 1996**)

Section 2080.120 Emergency situations

No person shall issue a prescription for a Schedule II designated product other than on the Official Triplicate Prescription Blank issued by the Department and no pharmacist shall fill any such prescription other than on the official Triplicate Prescription Blank issued by the Department. However, in the case of an emergency, epidemic or a sudden or unforeseen accident or calamity, the prescriber may issue a lawful oral prescription or transmit via facsimile equipment or via electronic transmission a written prescription order or a written prescription on a blank other than the Official Triplicate Prescription Blank issued by the Department where failure to issue such a prescription might result in loss of life or intense suffering.

- Such prescription shall have endorsed thereon by the prescriber a statement concerning the accident, or calamity, or circumstances constituting the emergency, or the cause for which the unofficial blank was used.
- Within 72 hours after issuing an emergency prescription, the prescriber shall cause a written prescription on the official Triplicate Prescription Blank for the emergency quantity prescribed to be delivered to the dispensing pharmacist. The prescription shall have written on its face "Authorization for Emergency Dispensing", and the date of the emergency prescription. The written prescription on the Official Triplicate Prescription Blank may be delivered to the pharmacist in person or by mail, but if delivered by mail it must be postmarked within the 72-hour period.
- Upon receipt, the dispensing pharmacist shall attach the Official Triplicate Prescription Blank to the emergency prescription earlier received, or in the case of an oral prescription, the document on which it was reduced to writing.
- The dispensing pharmacist shall notify the Department if the prescriber fails to deliver the authorization for emergency dispensing on the Official Triplicate Prescription Blank. Failure of the dispensing pharmacist to do so shall void the authority to dispense without a written prescription on an Official Triplicate Prescription Blank of a prescriber.

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- e) The Department shall immediately upon discovery notify DPR in writing of any violations of this Section by prescribers or pharmacists.

(Source: Amended at 20 Ill. Reg. **3107**, effective **FEB 2 1996**)

Section 2080.150 Exemptions for narcotic--treatment--programs Exemptions for long term care and home infusion services

- Controlled substances that can lawfully be administered or dispensed directly to a patient in a long term care facility licensed by the Department of Public Health as a skilled nursing facility, intermediate care facility, or a long term care facility for residents under 22 years of age are exempt from the requirements of Sections 208 and 312 of the Act, except that a prescription for a Schedule II controlled substance must be either a written prescription signed by the prescriber or a written prescription transmitted by the prescriber or prescriber's agent to the dispensing pharmacy by facsimile. The facsimile serves as the original written prescription and must be maintained for 2 years from the date of issue in the same manner as a written prescription signed by the prescriber.
- A prescription that is written for a Schedule II controlled substance to be compounded for direct administration by parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion to a patient in a private residence, long term care facility, or hospice setting may be transmitted by facsimile by the prescriber or the prescriber's agent to the pharmacy providing the home infusion services.

(Source: Former Section 2080.150 renumbered to **3107**, 2080.160; new Section 2080.150 added at 20 Ill. Reg. **FEB 2 1996**)

Section 2080.160 2080.150 Exemptions for narcotic treatment programs

Use of the Official Triplicate Prescription Blank is not required in narcotic treatment programs. The official "prescription logs" issued by the Department shall be completed in accordance with Section 313 of the Act.

(Source: Former Section 2080.160 renumbered to Section 280.170; Section 2080.160 renumbered from Section 2080.150 at 20 Ill. Reg. **3107**, effective **FEB 2 1996**)

Section 2080.170 2080.160 Exemptions for research

Prescribers who are authorized by the Department pursuant to the Act to use Schedule II designated products to carry out research are exempt from the requirements of Section 508 of the Act. Such prescribers shall maintain an inventory record specifying:

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- a) Drug name.
- b) Drug strength.
- c) Drug quantity.
- d) Purpose for which administered.
- e) To whom administered (if applicable).
- f) Date(s) on which Schedule II designated product was used.

(Source: Former Section 2080.170 renumbered to Section 2080.180; Section 2080.170 renumbered from Section 2080.160 at 20 Ill. Reg. 2013-10-7, effective FEB 2 1996)

Section 2080.180 2080.170 Investigatory and regulatory referrals

The Department's Triplicate Prescription Control Section shall make investigatory or regulatory referrals to Federal, State and local law enforcement and regulatory agencies based on information collected from the processing of the official Triplicate Prescription Blanks. All referrals shall be based on the nature of the information and the jurisdictional area for which the information is appropriate. Investigatory or regulatory referrals shall include but shall not be limited to the following criteria:

- a) A prescriber attempts to obtain Official Triplicate Prescription Blanks with an expired, suspended, revoked or otherwise disciplined professional license. This applies to professional licenses issued in this or any other state.
- b) A prescriber attempts to obtain Official Triplicate Prescription Blanks with an expired, suspended, or revoked controlled substances registration. This applies to registrations issued by this State, any other state, or the DEA.
- c) A prescriber with an expired, suspended, revoked or otherwise disciplined professional license prescribes or dispenses a Schedule II designated product using the Official Triplicate Prescription Blank. This applies to professional licenses issued in this or any other state.
- d) A prescriber with an expired, suspended, or revoked controlled substances registration prescribes or dispenses a Schedule II designated product using the Official Triplicate Prescription Blank. This applies to registrations issued by this or any other state or the U.S. Drug Enforcement Administration.
- e) An out-of-state prescriber with an expired, suspended, revoked or otherwise disciplined professional license prescribes a Schedule II product.
- f) An out-of-state prescriber with an expired, suspended or revoked controlled substances registration prescribes for a Schedule II product. This applies to a registration issued in the prescriber's resident state or a registration issued by DEA.
- g) A pharmacy with an expired, suspended or revoked Illinois Controlled Substances License, or DEA registration dispenses a Schedule II designated product.

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- h) A pharmacist with an expired, suspended, revoked or otherwise disciplined professional license dispenses a Schedule II designated product. This applies to a professional license issued in this or any other State.
- i) A pharmacy dispenses a Schedule II designated product to a patient beyond the 72 hour limit three or more times in any 12 month period.
- j) A pharmacy is late returning Official Triplicate Prescriptions Blanks or Pharmacy Inventory Control forms to the Department three or more times during any 12-month period.
- k) A prescriber uses an Official Triplicate Prescription Blank instead of a Drug Enforcement Administration 222 Narcotic Order Form to obtain office medication stock.
- l) A prescriber or a pharmacist dispenses a Schedule II controlled substance to a patient.
- m) A prescriber knowingly fails to report lost or stolen Official Triplicate Prescription Blanks.
- n) A prescriber maintains a drug dependent person without proper authorization pursuant to Section 312(h) of the Act.
- o) A pharmacist refills any Schedule II prescription.
- p) It is determined that on three or more occasions in any 12 month period a prescriber has prescribed using Official Triplicate Prescription Blanks issued to others.
- q) A prescriber fails to provide an Official Triplicate Prescription Blank to a pharmacy within 72 hours after issuing an emergency order for a Schedule II designated product.
- r) A prescriber issues prescriptions on expired Official Triplicate Prescription Blanks three or more times during any 12-month period.
- s) A pharmacist fills prescriptions for Schedule II designated products that have been issued on expired Official Triplicate Blanks three or more times in any 12-month period.
- t) A pharmacist fails to provide the Department with a Pharmacy Inventory Control form for a Schedule II product that was dispensed pursuant to an order of an out-of-state prescriber or exempt Federal practitioner.
- u) A prescriber makes payment for Official Triplicate Prescription Blanks with a check or money order that is uncollectable.
- v) A pharmacist takes payment for Pharmacy Inventory Control forms with a check or money order that is uncollectable.
- w) A prescriber reports more than one theft per year of Official Triplicate Prescription blanks.
- x) The Triplicate Prescription Control Section detects an irregularity or violation in processing an Official Triplicate Blank, (e.g., stolen, forged, or altered prescription).
- y) The Triplicate Prescription Control Section determines that a Schedule II designated product prescription does not exhibit the principle of "good faith" in prescribing or dispensing as set forth in Section 102(n) of the Act.

(Source: Section 2080.180 renumbered from Section 2080.170 at 20 Ill.

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Reg. **3107**, effective **FEB 2 1996**

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: The Administration and Operation of the Teachers' Retirement System2) Code Citation: 80 Ill. Adm. Code 16503) Section Numbers: Adopted Action:

1650.110	Amendment
1650.160	Amendment
1650.180	Amendment
1650.182	Amendment
1650.193	New Section
1650.210	Amendment
1650.230	Amendment
1650.240	Amendment
1650.270	Amendment
1650.272	New Section
1650.290	Amendment
1650.320	Amendment
1650.325	Amendment
1650.340	Amendment
1650.350	Amendment
1650.360	Amendment
1650.440	Amendment
1650.450	Amendment
1650.451	New Section
1650.460	Amendment
1650.470	New Section
1650.520	Amendment
1650.530	Amendment
1650.560	Amendment
1650.620	Amendment
1650.710	Amendment
1650.810	Amendment
1650.910	New Section
1650.920	New Section
1650.930	New Section
1650.940	New Section
1650.950	New Section
1650.960	New Section
1650.970	New Section
1650.980	New Section
1650.990	New Section
1650.995	New Section
1650.1000	New Section
1650.1010	New Section
1650.1020	New Section
1650.1030	New Section
1650.1040	New Section

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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1650.1050 New Section
 1650.1060 New Section
 1650.1070 New Section
 1650.1080 New Section

4) AUTHORITY: Implementing and authorized by Article 16 of the Illinois Pension Code [40 ILCS 5/16-101]; Freedom of Information Act [5 ILCS 140]; Section 401(a)(31) of the Internal Revenue Code [26 U.S.C. 401(a)(31)]; Section 5-15 of the Illinois Administrative Procedures Act [5 ILCS 100/5-15].

5) Effective Date of Rules: February 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Do these rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: January 25, 1996

9) Notice of Proposal Published in Illinois Register: October 6, 1995, 19 Ill. Reg. 13940

10) Has JC&R issued a Statement of Objections to these rules? No

11) Differences between proposal and final version: At the suggestion of the Joint Committee on Administrative Rules, the following changes have been made:

1. In Section 1650.990(b), added before the period "except that, if work load requires, the System may refer the copying to an outside printer or copy service".

2. In Section 1650.990(c), after "System" added ", pursuant to Section 6(b) of the FOIA [5 ILCS 140/6(b)].".

3. Changed Section 1650.990(d)(2) to "2) In the event the System must refer the task to an outside printer or copy service, the fee shall be the actual vendor charges:".

4. Changed Section 1650.1000(a) to "... no fewer than 500 individuals who, as of the date of signing, were teachers as defined in Section 16-106 of the Illinois Pension Code [40 ILCS 5/16-106].".

5. Changed Section 1650.1000(b) to "... by no fewer than 500 individuals who, as of the date of signing, were annuitants as defined in Section 16-111.1 of the Illinois Pension Code [40 ILCS 5/16-111.1].".

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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At the approval of the Index Department, the following changes were made to correct and update the main Authority note:

6. Deleted the specific Section references and added the general reference "Article 16 of the Illinois Pension Code [40 ILCS 5/16-101].".

7. Added "Section 401(a)(31) of the Internal Revenue Code [26 U.S.C. 401(a)(31)];" and "Section 5-15 of the Illinois Administrative Procedure Act [5 ILCS 100/5-15]" to reflect references made thereto within the text of the amendments.

12) Have all the changes agreed upon by the agency and JC&R been as indicated in the agreement letter issued by JC&R? Yes

13) Will these rules replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rules:

1650.110 Subsection (b)(4) amended to clarify what documentation would be accepted by the System to verify creditable service and salary when official records are unavailable. Subsection (c) amended to provide that whenever salary information is unavailable for a period of creditable service, the System will use the member's first confirmable salary succeeding the period for which credit is sought to assess contributions.

1650.160 The disclosure exceptions were expanded to allow member information to be disclosed to the Social Security Administration for pension offset purposes. Amends the confidentiality rule to allow information to be provided to CMS as necessary to administer annuitant health insurance program.

1650.180 Subsection (a) amended to require that employer contributions due upon federally funded creditable earnings be remitted to the System each pay period or monthly if owed by a State employer. Subsection (b) amended to provide that if an employer's annual report is postmarked other than by the Post Office, the report must be received no later than four working days from when postmarked, or penalties will be assessed. Subsection (c) advises employers that annual reports must be properly completed and will not be deemed received for penalty purposes until submitted in proper form. Subsection (d) added to allow the System to receive contributions via electronic fund transfer.

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- 1650.182 Subsection (a) amended to require remittance within a reasonable amount of time for consideration in waiving any penalties.
- 1650.183 New Section added to define employer's normal cost of benefits for actuarial funding purposes.
- 1650.210 Subsection (f) amended to clarify that if a member dies after the System has received the member's application for a retirement annuity and any outstanding payments are due, the member's death is considered out of service for survivor benefit calculation purposes. Subsection (i) confirms that a member becomes an annuitant upon cashing of the first retirement annuity payment or when the payment is deposited in the member's banking account by electronic fund transfer.
- 1650.230 Subsection (b) amended to allow the System to require medical records to substantiate a member's or annuitant's continued eligibility for disability benefits. Subsection (c) amended to allow the System discretion to not require a member on disability to go to needless medical reexaminations. Subsection (h) amended to require a disabled child to prove continuing disability and to allow the System to suspend benefits if continuing disability is not confirmed.
- 1650.240 Subsection (e) added to confirm that a member receiving disability payments cannot receive a refund until four months after the member ceases receiving disability payments.
- 1650.270 Amended to clarify the term "dependent" and set guidelines for establishing dependency.
- 1650.272 New Section added to set guidelines for establishing eligibility for survivor benefits for dependent children. Annual examinations are required to remain eligible unless deemed unnecessary by the System.
- 1650.290 Editorial corrections.
- 1650.320 Subsection (f) defines days of service for which creditable service is eligible to be earned. Subsection (g) sets guidelines for crediting Saturday service. Subsection (h) clarifies that days of service do not include paid leaves of absence.
- 1650.325 Subsection (c) amended to provide for an in-house calendar to compute disability service credit. Subsection (d) amended to provide for one full year of service credit when a member has

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- received disability benefits for 170 days in any school year.
- 1650.340 Subsection (d) amended to define when a layoff occurs.
- 1650.350 Subsection (a) amended to set forth the formula for determining when sick leave days granted in a member's final years of employment will be reportable to the System. Subsection (b) amended to provide that as of July 1, 1997, sick leave days for which a member receives compensation will not be available to increase service credit.
- 1650.360 Subsection (a) amended to clarify that to be reportable, an award or settlement must compensate the member for lost salary during a period the member is on a disputed dismissal or suspension. This subsection also sets guidelines for the charging of interest on contributions due.
- 1650.440 Amended to allow benefit recalculations of less than \$1.00.
- 1650.450 Subsection (b)(3) amended to set forth guidelines on reporting back salary awards and clarifies that reporting of court costs, attorney fees and punitive damages as salary is prohibited. Subsection (b)(5) amended to further clarify the terms "qualified deferred compensation plans" and "tax sheltered annuities." Subsection (b)(6) amended to define the term "flexible benefit plan" for the System's purposes. Subsection (c)(8) added to confirm that employer pick-up of .5% employee health insurance contribution is not reportable as creditable earnings.
- 1650.451 Added to require that payments conditioned upon the occurrence of future events are payable in the year in which the condition occurs.
- 1650.460 Subsection (c) amended to confirm that a consolidation or annexation does not result in a change of employer for average salary computation purposes. Subsection (d) amended to clarify that the System computes ERO and ERI member and employer contributions on the basis of annual salary rate rather than creditable earnings where there is less than a full year of service credit.
- 1650.470 This Section is being added to comply with requirements of the Internal Revenue Code pertaining to rollover distributions.
- 1650.520 Subsection (b) deleted because there is no statutory basis for TRS to allow a member to reduce or discontinue an annuity.

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1650.530 Subsection (a) amended to require certified or original copies of power of attorney papers to process benefits. Subsection (b) added to allow the System to accept a nomination of beneficiary form with a member's mark if witnessed by two disinterested persons.

1650.560 Amended to allow the System to pay benefits based upon a small estate affidavit but requires letters of administration if the benefit payable is over \$50,000.

1650.620 Amended to clarify that a member, beneficiary, annuitant or employer can request an administrative review.

1650.910- New Sections added to set forth guidelines for handling
1650.995 Freedom of Information Act requests.

1650.1000- New Sections added to deal with the election of teachers
1650.1080 and annuitants to the Board of Trustees, including: nomination of candidates, petitions, eligible voters, election materials, marking and return of ballots, and observation, certification and challenges of ballot counting.

16) Information and questions regarding these adopted amendments shall be directed to:

Erin E. Smith, Legal Assistant
Teachers' Retirement System
2815 West Washington, P.O. Box 19253
Springfield, Illinois 62744-2533
Telephone: (217) 753-0961

The full text of the Adopted Rules begins on the next page:

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

NOTICE OF ADOPTED AMENDMENTS

TITLE 31: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE D: RETIREMENT SYSTEMS
CHAPTER III: TEACHERS' RETIREMENT SYSTEM OF
THE STATE OF ILLINOIS

PART 1650

THE ADMINISTRATION AND OPERATION OF THE
TEACHERS' RETIREMENT SYSTEM

SUBPART A: REPORTS BY BOARD OF TRUSTEES

Section
1650.1

Annual Financial Report (Repealed)

SUBPART B: BASIC RECORDS AND ACCOUNTS

Section
1650.110

Membership Records

1650.110 Claims Records (Repealed)

1650.110 Individual Accounts (Repealed)

1650.110 Ledger and Accounts Books (Repealed)

1650.150 Statistics (Repealed)

1650.150 Confidentiality of Records

1650.180 Early Retirement Payments

1650.180 Early Retirement Payments: Payment Requirements

1650.180 Waiver of Additional Amounts Due

1650.183 Definition of Employer's Normal Cost

SUBPART C: FILING OF CLAIMS

Section
1650.210

Claim Applications

1650.220 Reclassification of Disability Claim (Repealed)

1650.220 Medical Examinations and Investigations (Repealed)

1650.24 Refunds: Impermissible refund: Amounts not available

1650.250 Death Benefits

1650.250 Evidence of Age

1650.270 Reversionary Annuity - Evidence of Dependence

1650.270 Evidence of Dependence

1650.270 Eligible Child Dependent By Reason of a

1650.270 Disability

1650.290 Evidence of Marriage

1650.290 Others

SUBPART D: MEMBERSHIP AND SERVICE MATTERS

Section
1650.310

Effective Date of Membership

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1650.320 Method of Calculating Service Credits
 1650.325 Method of Calculating Service Credit for Recipients of a Disability
 Benefits or Occupational Disability Benefit
 1650.330 Duplicate Service Credit
 1650.340 Service Credit for Leave of Absence--~~Sabbatical~~--~~Leaves~~ or
 Involuntary Layoffs
 1650.350 Service Credit for Unused Accumulated Sick Leave Upon Retirement
 1650.360 Service and Earnings Credit Obtained Pursuant to Labor Contract
 Litigation
 1650.370 Calculation of Average Salary (Renumbered)

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section
 1650.410 Refunds for Duplicate or Noncreditable Service
 1650.420 Interest on Deficiencies (Repealed)
 1650.430 Installment Payments (Repealed)
 1650.440 Small Deficiencies, Credits or Death Benefit Payments
 1650.450 Definition of Salary
 1650.451 Reporting of Conditional Payments
 1650.460 Calculation of Average Salary
 1650.470 Rollover Distributions

SUBPART F: RULES GOVERNING ANNUITANTS AND BENEFICIARIES

Section
 1650.505 Beneficiary (Repealed)
 1650.510 Re-entry Into Service
 1650.520 Suspension of Benefits
 1650.530 Power of Attorney
 1650.540 Conservators Guardians
 1650.550 Presumption of Death
 1650.560 Benefits Payable on Death
 1650.570 Survivors' Benefits
 1650.580 Evidence of Eligibility

SUBPART G: ATTORNEY GENERALS' OPINION

Section
 1650.605

Policy of the Board Concerning Attorney Generals' Opinion (Repealed)

SUBPART H: ADMINISTRATIVE REVIEW

Section
 1650.610 Staff Responsibility
 1650.620 Right of Appeal
 1650.630 Form of Written Request
 1650.640 Prehearing Procedure

TEACHERS' RETIREMENT SYSTEM OF THE STATE OF ILLINOIS

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1650.650 Hearing Procedure
 1650.660 Rules of Evidence
 SUBPART I H: AMENDMENTS TO BYLAWS AND RULES

Section
 1650.710 Amendments

SUBPART J: RULES OF ORDER

Section
 1650.810 Parliamentary Procedure

SUBPART K: FREEDOM OF INFORMATION ACT REQUESTS

Section
 1650.910 Summary and Purpose
 1650.920 Definitions
 1650.930 Submission of Requests
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SUBPART L: BOARD ELECTION PROCEDURES

Section
 1650.1000 Nomination of Candidates
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 1650.1020 Eligible Voters
 1650.1030 Election Materials
 1650.1040 Marking of Ballots
 1650.1050 Return of Ballots
 1650.1060 Observation of Ballot Counting
 1650.1070 Certification of Ballot Counting
 1650.1080 Challenges to Ballot Counting

AUTHORITY: Implementing and authorized by Sections 16-106, 16-118, 16-121, 16-125, 16-133, 16-133.2, 16-133.3, 16-133.4, 16-133.5, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-164, 16-165, 16-168 and 16-192 of the Illinois Pension Code [40 ILCS 5/16-106, 16-118, 16-121, 16-125, 16-133, 16-133.2, 16-133.3, 16-133.4, 16-133.5, 16-136, 16-149, 16-149.1, 16-149.2, 16-150, 16-153.2, 16-155, 16-164, 16-165, 16-168 and 16-192]; Freedom of Information Act [5 ILCS 140].

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NOTICE OF ADOPTED AMENDMENTS

SOURCE: Filed June 20, 1958; emergency rules adopted at 2 Ill. Reg. 49, p. 249, effective November 29, 1978, for a maximum of 150 days; adopted at 3 Ill. Reg. 9, p. 1, effective March 3, 1979; codified at 8 Ill. Reg. 16350; amended at 9 Ill. Reg. 20885, effective December 17, 1985; amended at 12 Ill. Reg. 16896, effective October 3, 1988; amended at 14 Ill. Reg. 13375, effective October 29, 1990; amended at 15 Ill. Reg. 16731, effective November 5, 1991; amended at 17 Ill. Reg. 1631, effective January 22, 1993; amended at 18 Ill. Reg. 6349, effective April 15, 1994; emergency amendment at 18 Ill. Reg. 8949, effective May 24, 1994, for a maximum of 150 days; emergency modified at 18 Ill. Reg. 12840; amended at 18 Ill. Reg. 15154, effective September 27, 1994; amended at 20 Ill. Reg. 3118, effective FEB 5 1996.

SUPPART B: BASIC RECORDS AND ACCOUNTS

Section 1650.110 Membership Records

- a) Every member shall provide information with respect to his or her date and place of birth, Social Security number and home address including a facsimile of his or her signature.
- b) Creditable service and salary is established by submission of annual reports (filed by the member's employer), an affidavit of a school official based upon existing school records, or copies of contracts, board minutes, memoranda, payroll records and other materials as requested by the System for assistance in making the necessary determinations. If the preceding documentation is unavailable, the member shall submit at least one of the following types of documentation in the following order of priority:
 - 1) Certified records of the Chief Educational Officer of the County in which the member was employed.
 - 2) Income tax records for the entire time period showing employment as a teacher.
 - 3) Certified records of another retirement system.
 - 4) Other documentation, such as corroborating affidavits, that are based upon actual knowledge and are sufficiently specific as to times, dates, places and surrounding circumstances so that the proof of service submitted to the System reliably documents the service to be established while eliminating the possibility of mistake or fraud. ~~Such other documentation sound by the System to be trustworthy, such as that produced by independent third parties.~~

- c) Whenever the salary information for a period of creditable service is unavailable, the System shall establish a salary (and assess contributions at the applicable statutory rate) which is equal to the member's first full-time salary paid as a contributing member of the System succeeding the time period in question. The System shall convert the first full-time salary paid succeeding the time period in question to its part-time equivalent, whenever the unavailable salary information is for part-time employment.

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(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.160 Confidentiality of Records

The Board, its Executive Director, and agents and employees of the System are prohibited from disclosing the contents of a member's, annuitant's, or beneficiary's files, records, papers, or communications except for purposes connected with the official responsibility of the Teachers' Retirement System; to other systems subject to and participating in the Reciprocal Act; to the Department of Central Management Services for annuitant health insurance purposes; to the Social Security Administration for government pension offset determination and windfall elimination purposes; upon written authorization from the individual whose record is to be released; in response to a subpoena; or when required pursuant to the Freedom of Information Act [5 ILCS 140].

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.180 Filing and Payment Requirements

- a) All employers are required to forward member contributions and amounts required under 40 ILCS 5/16-158(c) to the System after the close of each pay period or monthly, if a State Institution, and to file an annual report of earnings with the System on or before August 15 of each year. Failure to forward contributions or to file reports shall result in additional amounts due as prescribed by Section 16-155 of the Illinois Pension Code (the Act) [40 ILCS 5/16-155].
- b) In determining ~~contributing~~ the additional amount due for late filing of the employer's annual report of earnings as prescribed by Section 16-155(c) of the Act, the postmark date is deemed to be the date of receipt. If the postmark is made other than by the U.S. Post Office, such as a postage meter, the postmark must show a date on or before the date the material was to be received in an office of the System and must be received no later than four working days after the date shown.
- c) The employer's annual report of earnings shall be properly completed and report creditable earnings in accordance with applicable laws and rules. Any report failing to materially conform with this requirement shall be returned to the employer and shall not be deemed received until properly corrected and returned to the System.
- d) ~~Envelopes must be properly addressed to the System if the reports are to be considered filed timely, with correct postage paid by the employer. The System may accept contributions via electronic transfer.~~

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

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Section 1650.182 Waiver of Additional Amounts Due

a) The System may waive additional amounts due upon good cause shown when:

- 1) The delinquency is attributable to circumstances commonly known as an "act of God", such as fire, flood, tornado and the like; or
- 2) The delinquency is attributable to other administrative reasons where no employer negligence is involved; ~~and~~ the employer's record indicates a history of good faith and consistent compliance with the System's contribution and reporting requirements; ~~and~~ the employer remits the annual report of earnings and/or required contributions within a reasonable time as determined by the System taking into consideration the reason for delinquency and the period of delinquency.

b) Circumstances purporting to justify a waiver of the additional amounts due must be certified in writing to the System by the Superintendent of the school district or chief operating officer of the employer requesting a waiver.

3118

(Source: Amended at 20 Ill. Reg. _____, effective _____
FEB 5 1996)

Section 1650.183 Definition of Employer's Normal Cost

The employer's normal cost is the employer's portion of the total normal cost of benefits earned by active members during the fiscal year (which shall include the System's estimated administrative expenses for the fiscal year) that is not funded by the estimated contributions of active members for the fiscal year. The total cost of benefits and the employer's normal cost are expressed as percentages of projected active member payroll, actuarially determined, and are approved by the Board of Trustees before the fiscal year begins. The employer's normal cost rate approved by the Board of Trustees shall be used for all calculations that are to be based on the employer's normal cost, except that, for purposes of determining the contribution for optional creditable service under Section 16-128(a)(ii) of the Act, the employer's normal cost rate shall be the total cost of benefits rate for the fiscal year in which such service is verified reduced by the member contribution rate used to determine the amount under Section 16-128(a)(i) of the Act.

3118 -

(Source: Added at 20 Ill. Reg. _____, effective _____
FEB 5 1996)

SUBPART C: FILING OF CLAIMS

Section 1650.210 Claim Applications

a) Any individual claiming a retirement annuity, a disability retirement

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annuity, a survivor benefit, a disability benefit or an occupational disability benefit shall file an application therefor in the form prescribed by the System. This application, together with the membership record, and such other information as may have been compiled during the membership of the member or submitted by the applicant shall constitute the complete record forming the basis of the claim. An application for survivor benefits shall be accompanied by a certified copy of the death certificate, other public record of death, or a physician's certificate.

b) When 90 or more days have elapsed subsequent to the commencement of a member's disability, oral or written notification of the disability shall be deemed sufficient to commence accrual of benefits. Provided, however, if the System fails to receive the documentation required by Section 16-149 or Section 16-149.1 of the Act within six months of the initial notification, no benefits shall ~~will~~ accrue until a required ~~that~~ documentation is received by the System.

c) Disability benefits become payable the later of:

- 1) The 31st calendar day after commencement of absence due to disability;
- 2) Upon exhaustion of the member's sick leave or (if sick leave not paid by employer) when the sick leave would have been exhausted had the member been paid; or
- 3) The date the System receives notification of disability if more than 90 days have elapsed from the later of:
 - i) commencement of disability; or
 - ii) the last day for which salary (including sick leave pay) is payable, whether or not these days are actually paid.

d) When an individual claiming disability benefits is employed under an agreement for less than 12 full months, neither the 31-day waiting period nor the utilization of sick leave requirement, as contained in subsection (c) above, is satisfied during periods not covered by the agreement. For purposes of granting disability benefits it will be presumed that all employment agreements cover one full school term and are automatically renewable at the commencement of the next school term. Satisfactory evidence must be presented of an employment agreement covering a longer period than a full school term (e.g., 10, 11 or 12 months). Satisfactory evidence will consist of a written statement from the employer.

e) Occupational disability benefits become payable the later of:

- 1) The date after the last day for which salary is paid; or
- 2) The date the System receives notification of disability if more than 90 days have elapsed from the later of:
 - i) the commencement of the disability; or
 - ii) the last day for which salary is paid.

f) Death after receipt by the System of an application for a retirement annuity and any outstanding payments ~~Receipt by the System of an application for a retirement annuity and any outstanding payments terminates the member's status in the System and the death of an applicant is~~

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deemed to be a death out of service when calculating survivor benefits.

- g) A member may request, in writing, a transfer from a disability benefit to an age retirement annuity or a disability retirement annuity prior to the expiration of the eligible period for disability benefits. The effective date of such annuities shall be the first of the month following receipt of the request. A member receiving a disability retirement annuity may, any time after becoming eligible for age retirement, request in writing a transfer to an age retirement annuity. The effective date of the age retirement annuity will be the first day of the month following receipt of the written request for such transfer.

- h) Whenever a member because of employment becomes ineligible to receive a disability benefit, disability retirement annuity or occupational disability benefit but is subsequently disabled for the same cause within 90 days, benefits shall be reinstated at the previous rate upon written application. Benefits will commence the day following the last day the member is eligible to receive salary. If more than 90 days have elapsed, benefits shall be reinstated based on the greater of the member's most recent annual contract salary rate at the time the disability benefit becomes payable or the member's annual contract rate on the date the disability commenced.

- i) A member becomes an annuitant of the System upon cashing the first retirement annuity payment or upon the date the first retirement annuity payment is deposited in the designated member's bank account by electronic funds transfer.

(Source: Amended at 20 Ill. Reg. _____, effective
FEB 5 1996)

3118

Section 1650.230 Medical Examinations and Investigations of Claims

- a) Each member seeking a disability benefit, occupational disability benefit, or a disability retirement annuity shall provide the System with written reports by two or more licensed and practicing physicians certifying that the member is disabled and unable to properly perform the duties of his or her position. Provided, however, in the case of disability due to pregnancy, the member shall provide the System with a written report by one licensed and practicing physician certifying that she is disabled and unable to perform the duties of her position. In order to substantiate the member's or the annuitant's continued eligibility for a disability benefit, occupational disability benefit, or a disability retirement annuity, the System shall require that the member or annuitant submit to additional medical examinations and shall request Hospital Medical records; Department of Employment Security earning statements; Social Security benefit payment information; income tax records; and other pertinent information under any one of the following circumstances:

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- 1) There is disagreement among examining physicians;
2) The medical examinations were inadequate to substantiate continued disability. A medical examination is considered inadequate when:
A) a report is incomplete; or
B) a report was not completed within the last three months; or
C) the duration of disability is shorter than the period between the date of the medical examination and the date of the submission of the report.
3) There is evidence an impartial medical examination was not performed. An impartial medical exam is not performed when the physician is:
A) related to the teacher; or
B) a friend of the teacher.

- 4) There is a reasonable basis to believe the member is no longer disabled. A reasonable basis exists when:
A) the System receives information that the teacher was engaged in activities which would be prohibited by his or her stated disability; or

- B) the System receives inquiries by teachers receiving a disability benefit, disability retirement annuity or occupational disability benefit regarding the work which they may perform.

- 5) The member is found to be gainfully employed. The term "gainfully employed":

- A) shall be construed to mean:
i) any compensation which exceeds \$500 in any month for personal services, including fees, wages, salary, commissions, and similar items; and
ii) any income which exceeds \$500 in any month derived from the participation in a business activity through the performance of physical and/or mental activities generally performed for the production of income; and
B) shall be computed on a gross rather than net basis (i.e., no deduction of any kind, including but not limited to deductions for losses, expenses, taxes or withholding, will be considered in such computation); and
C) shall be computed either on a monthly or on an annual basis; that is, more than \$60,000 compensation earned in a month results in a loss of eligibility for that month; more than \$6,000 compensation earned in a year results in loss of eligibility for that year.

- c) Members or annuitants in receipt of a disability benefit or occupational disability benefit shall be requested to submit to medical examinations at least once each year. When a disability benefit terminates, and a member elects to retire requests retirement on a disability retirement annuity, the member shall submit to a medical examinations examination, unless the member's last examination

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- performed. An impartial medical exam is not performed when the physician is:
- A) related to the beneficiary; or
 - B) a friend of the beneficiary.
- 3) There is reasonable basis to believe the beneficiary is no longer disabled. A reasonable basis exists when:
- A) the System receives information that the beneficiary was engaged in substantial gainful activity; or
 - B) the System receives inquiries from the beneficiary regarding the work the beneficiary may perform.
- 4) The beneficiary is found to be able to engage in substantial gainful activity. The term "substantial gainful activity" is defined in Section 1650.250(c).
- j) Failure of the beneficiary to submit to medical examinations, or to provide the information required to establish or substantiate continued disability, shall result in suspension of payments.

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.240 Refunds; Impermissible Refunds; Canceled Service; Repayment

- a) Any member eligible to receive a refund of contributions pursuant to the provisions of Section 16-151 of the Act shall, if he or she so elects, make a written request therefor upon a form prescribed by the System. A refund is deemed accepted and membership in the System terminates upon the cashing of a refund warrant or the escheat of a warrant.
- b) To be credited toward the calculation of a retirement annuity, survivors benefit, or disability benefit, the service canceled by such refund must have been re-established in accordance with the provisions of the Act, by repayment of the refund in full, including statutory interest, prior to the member's retirement, death, or commencement of disability benefits.
- c) Whenever the System determines that there has been a refund not in accordance with the provisions of the Act (an "impermissible refund"), whatever the reason, it shall record such refund as an optional service receivable, with interest at the statutory rate accruing on any unpaid balance from date of refund until date of repayment, and shall notify the member of the amount due.
- d) A member who received an impermissible refund, who does not wish to re-establish the service canceled thereby, may retire without paying the amount due but is barred from making repayment and adding the service credit after retirement.
- e) A member receiving a disability benefit under the provisions of Section 16-119 of the Act is not eligible to receive a refund of contributions until four months following the date for which disability benefits are last paid.

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- ~~member was examined~~ within the preceding six months substantiates a continuing disability, in which case no new medical examinations are required.
- d) A member in receipt of a disability retirement annuity who becomes eligible for an age retirement annuity shall submit to medical examinations to retain disability retirement annuity status.
 - e) The System may have medical information submitted to it evaluated by a qualified consultant or consulting firm. The System retains the right to require members or annuitants to submit to medical examinations by physicians selected by the System, at its own expense. These examinations may be in addition to the written reports tendered by the member or the annuitant. Such examinations shall be required when prior medical examinations were inadequate, when there is a question regarding the independence of the physician or when the forms are not completed properly or there is a reasonable basis to believe the member is no longer disabled.
 - f) Failure of a member or an annuitant to submit to medical examination, or to provide the information required pursuant to Sections 16-149 through 16-149.2 of the Act shall result in suspension of payments.
 - g) The term "licensed physician" means any individual licensed by the state ~~State~~ in which he or she practices ~~they practice~~ as a medical doctor. All licensed physicians shall be requested to submit their registration number on all reports submitted to the System.
 - h) Each beneficiary seeking to receive a survivor benefit as a disabled eligible child shall provide the System with a written report from a licensed and practicing physician certifying the beneficiary is disabled as defined by Section 16-140(4) of the Act and Section 1650.272(a)(2) of this Part. Disabled children in receipt of a monthly survivor benefit shall be requested to submit to an annual medical examination unless exempted therefrom by Section 1650.272(b). If a required medical examination is not submitted to the System, survivor benefits will be suspended until such required examination is received.
 - i) In order to substantiate the beneficiary's continued eligibility as a disabled child, for a survivor benefit, the System shall require that the beneficiary submit to additional medical examinations and shall request medical records; Department of Employment Security earnings statements; Social Security benefit payment information; Public Aid benefit payment information; income tax records; and other pertinent information, under any one of the following circumstances:
 - 1) The medical examination was inadequate to substantiate continued disability. A medical examination is considered inadequate when:
 - A) a report is incomplete; or
 - B) a report was not completed within the last three months; or
 - C) the duration of disability is shorter than the period between the date of the medical examination and the date of the submittal of the report.
 - 2) There is evidence an impartial medical examination was not

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annuity resulting from excess earned income which are recovered in full in the calendar year in which the overpayment is determined, and

- 2) Any overpayments with a beginning balance of less than \$1,000.
- d) The overpayment will be collected in accordance with the following criteria:

1) Overpayment to benefit recipient. The amount owed must be repaid to the System in a lump sum or by offset against monthly benefits; however, the payment schedule shall not exceed sixty months. Minimum monthly payments will be set according to the following scale based on monthly benefit level:

A) If the benefit recipient's gross monthly benefit is \$1,000 or less, the minimum monthly payment by offset is equal to 5% of the gross;

B) If the benefit recipient's gross monthly benefit is more than \$1,000 but less than \$2,501, the minimum monthly payment by offset is equal to 7.5% of the gross;

C) If the benefit recipient's gross monthly benefit is \$2,501 or more, the minimum monthly payment by offset is equal to 10% of the gross.

2) Overpayment to current contributing or inactive member. The amount owed must be repaid in a lump sum, in monthly payments by check or money order, or by offset against future benefits payable to the overpaid individual (unless the overpayment is required to be collected from the individual's beneficiaries, in which case it will be collected according to the terms of subsection (d)(1)(A) below). If by offset against the overpaid individual's future benefits, at the time the benefits become payable the minimum monthly payments will be determined according to the scale and schedule set forth in subsections (d)(1)(A) through (d)(1)(C) above.

3) Overpayment to benefit recipient now deceased, to be collected from beneficiaries.

A) If the beneficiary is the recipient of monthly benefits, the amount owed must be repaid in the same manner, involving the same payment options, as the schedule of repayments for overpaid contributing or inactive members, set forth in subsection (d)(1) (b)(2) above; provided, however, that no payment schedule may exceed the projected life of the benefit entitlements. For example, if the beneficiary is a minor child, the repayment must be completed before the beneficiary reaches majority.

B) If the beneficiary is the recipient of a lump-sum benefit only, the System will impose a full offset, up to and including, if necessary, the full amount of the lump-sum benefit.

4) The System will pursue collection through any available means, including seeking the assistance of the Attorney General, the

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Debt Collection Board, or private collection agencies.

5) In any cases in which fraud is suspected in connection with an overpayment, the System will enlist the aid of the Attorney General or such law enforcement agency or prosecutor having appropriate jurisdiction for a determination whether fraud has occurred, and, if it has, for further official action as necessary and appropriate.

(Source: Amended at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

SUBPART D: MEMBERSHIP AND SERVICE CREDITS

Section 1650.320 Method of Calculating Service Credits

a) No more than one year's service credit shall be granted for total service rendered between July 1 of one year through June 30 of the following year.

b) If the service rendered on a full-time basis, substitute basis, or part-time basis after June 30, 1990 is less than 170 days between July 1 of one year through June 30 of the following year, then credit for service shall be at a ratio of the actual number of days of service to 170 days.

c) Service credit for service rendered on a permanent and continuous part-time basis prior to July 1, 1990, between July 1 of one year through June 30 of the following year, shall be at the ratio of creditable earnings to the annual salary rate. Provided, however, that for service after June 30, 1959, if such ratio equals or exceeds the ratio of 170 days to the days in the legal school term, one year of service credit shall be granted.

d) If service prior to July 1, 1990 is rendered partially on a full-time basis and partially on a permanent and continuous part-time basis between July 1 of one year through June 30 of the following year, then credit for service shall be at the ratio of creditable earnings to the annual salary rate. Provided, however, that for service after June 30, 1959, if such ratio equals or exceeds the ratio of 170 days to the days in the legal school term, one year of service credit shall be granted.

e) Whenever the actual number of days of service is unavailable because of lack of employer records, the number of days the System uses to grant service credit shall be equal to the actual number of hours for which the member was paid, divided by four.

f) Days of service shall include any weekday, Monday through Friday, for which periodic payment is made to the member for:

- 1) Service rendered which requires teacher certification under the School Code;
- 2) Attendance, during the work week, at teacher's institutes, workshops and parent/teacher conferences scheduled in the school

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calendar:

- 3) Legal school holidays;
 - 4) Vacation, sick or personal leave days (except when such payment is for severance pay);
 - 5) Sabbatical leaves meeting the requirements of Section 24-6.1 of the School Code (105 ILCS 5/24-6.1); or
 - 6) Suspension.
- d) A day of service may be credited for Saturday service if such day would otherwise qualify as a day of service and the service was required due to a lawful day of attendance.
- h) Days of service do not include days for which the member was paid while on a board-approved leave of absence. However, the member may be eligible to purchase optional service credit under the provisions of Section 1650.340.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 1650.325 Method of Calculating Service Credit for Recipients of a Disability Benefits or Occupational Disability Benefit

- a) Service credit is earned during periods in which disability benefits are paid.
- b) Service credit is earned during periods of occupational disability.
- c) When a member teaches a partial school year and receives disability or occupational disability benefits a partial school year, one full year of service credit is earned when the member receives earnings from teaching and disability or occupational disability benefits for a total of 170 days during the school term or the term of the employment agreement if longer. To determine the service credit a member would have received and the contribution that a member would have made in active employment during any period for which benefits are paid or the member is on occupational disability, the System shall establish on an annual basis two school calendars: a 185-day calendar for members on nine-month contracts and a 260-day calendar for members with greater than nine-month contracts. Service credit and credit for contributions shall be earned and calculated upon the days deemed creditable therefor.
- d) One full year of service credit is earned when the member receives earnings from disability or occupational disability benefits for a total of 170 days during any the school year term for the term of the employment agreement if longer with the last employee prior to the commencement of disability or occupational disability benefits.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

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Section 1650.340 Service Credit for Leave of Absence--Sabbatical--Leave or

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Involuntary Layoffs

- a) ~~Service credit for sabbatical leave shall be granted when the leave meets the requirements of the Teachers' Retirement System of the State of Illinois.~~
- a) For purposes of granting service credit for an approved leave of absence, the statutory return-to-teaching requirement is met when the member establishes credit with this System or the State Universities' Retirement System for at least the lesser of the creditable period of the leave or one year.
- b) For purposes of this Section, a leave of absence is creditable as an approved leave if: the member did not resign, the employer promised renewed employment at the end of the leave, and the employer, through its board took official action to approve the request for leave, or the leave qualifies as a leave under the Family and Medical Leave Act, as certified by the employer.
- c) For purposes of this Section, involuntary layoffs shall not include dismissals for cause or other performance-related reasons. The statutory return-to-teaching requirement is met when the member establishes credit with this System or the State Universities' Retirement System for at least the lesser of the creditable period of the layoff or one year.
- d) For purposes of this Section, a layoff occurs when there is a termination of paid employment due to lack of work, lack of funds, abolition of a position, or a material change in duties of organization.

(Source: Amended at 20 Ill. Reg. _____, effective _____)

FEB 5 1996

Section 1650.350 Service Credit for Unused Accumulated Sick Leave Upon Retirement

- a) To be creditable for retirement purposes, sick leave days must have been actually be available for use by a member in the event of illness. Service credit is not available and shall not be computed for sick leave days added to the record of a member creditable as a teacher at the time of termination of service for the purpose of increasing a member's retirement service credit. To determine if any sick leave days granted by an employer during a member's final years of employment are actually available for use and reportable to the System as service credit, the System shall apply the following formula:
- 1) from the date upon which the sick leave days were granted, the number of days remaining in the school term or the member's employment agreement, whichever is shorter, shall be determined. Shall be determined.

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- 2) from the resulting number of days the System shall subtract the number of sick leave days previously accrued by the member; and
- 3) the difference is the maximum number of sick leave days that may be reported in addition to those days previously accrued, provided that the employer will allow the member to use such days in the event of illness prior to termination.

b) Unused and uncompensated sick leave days are not eligible for service credit at retirement when the member receives direct compensation for such days. Direct compensation means payment of salary, wages, fringe benefits, contributions, bonuses and lump sum payments before or after retirement. Notwithstanding the foregoing provisions of this subsection (b), a member is not deemed compensated if his or her employer maintains or establishes a reward system (based upon daily attendance of employees) which pays additional benefits to a member (including but not limited to salary) and which does not reduce the accumulated sick leave days available for use and credited to the member by the employer. Effective July 1, 1997, if a member receives payment of any kind for accumulated sick leave days before or after termination, no service credit shall be available for the days so compensated.

c) For purposes of calculating a retirement annuity, the System shall not grant service credit for any days withdrawn by the member from a sick leave bank in excess of the days deposited therein and unused by the member.

d) Accumulated personal leave days are governed by the same standards set forth in subsection (b) above for sick leave days, but only if they were actually available for use by a member in the event of illness.

e) Accumulated, unused vacation days are not creditable with the System.

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.360 Service and Earnings Credit Obtained Pursuant to Labor Contract Litigation

a) When a member loses service credit and creditable earnings as a result of a disputed dismissal or suspension and a judgment or agreement is entered resulting in an award or agreed amount of settlement to the member to compensate the member for lost salary during the period of the dismissal or suspension, service and earnings credit shall be granted provided:

- 1) the award or settlement agreement identifies the time period for which the member should have received service credit and the amount of salary allocable under the award or agreement to each school term; and,
- 2) the required contributions are paid within one year after of the award or agreement, otherwise interest shall be charged at the applicable statutory rate from the date of the award or

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agreement as specified in Section ~~Sec-~~ 16-112 of the Act.

b) Provided, however, if the cash award or settlement amount is either more or less than what the member's salary rate would have been for the time period in question, the contributions shall be assessed against that which the member would have earned had the dispute not occurred.

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

SUBPART E: CONTRIBUTION CREDITS AND PAYMENTS

Section 1650.440 Small Deficiencies, Credits or Death Benefit Payments

No statements for an account receivable, account payable, debt, benefit payments, or refunds shall be charged or issued to members, annuitants, beneficiaries or employers for deficiencies, credits or payments amounting to less than \$50.00 unless demanded. ~~No correction to an annuity shall be made where the correction results in an increase or decrease of less than \$100 per month.~~

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.450 Definition of Salary

a) Any emolument of value recognized by the System that is received, actually or constructively, by a member in consideration for services rendered as a teacher, within all applicable limits and restrictions on qualified pension plans contained in the Internal Revenue Code, 26 U.S.C., at Section 401(a) et seq. Subsection (b) of this Section lists the more common elements of compensation that are recognized by the System as "salary," for purposes of illustration. For further illustration, subsection (c) mentions several examples of items not recognized by the System as "salary." However, "salary" within the meaning of Section 16-121 of the Act is not limited to the items so enumerated.

b) Examples of salary amounts to be reported to the System include:

- 1) The gross amount of wages or compensation earned or accruing to the member during the legal school term or the length of his or her employment agreement, whichever is greater, in a function requiring certification as a teacher, and payable by the employer at termination of service;
- 2) Wages or compensation for overtime or extra service;
- 3) The amount of back salary awarded to a member ~~payable-exclusive of-court-costs, attorney's-fees-and-punitive-damages~~ as a result of a settlement or judgment obtained due to a disputed dismissal, suspension or demotion, ~~provided that the salary amount reported~~

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~~to the System under this subsection shall be required to that~~ Court costs, attorney's fees, other compensatory damages and punitive damages shall not be reportable as salary. The back salary amount reported to the System under this Section shall be equal to the amount which the member would have earned had the dispute not occurred, regardless of the actual amount paid;

- 4) Severance pay (e.g., retirement incentives, lump sum bonuses, payments for unused vacation and sick days) received by member or becoming due and payable to member prior to or concurrent with receipt of final paycheck for regular earnings;
- 5) Contributions made by or on behalf of the member to qualified deferred compensation plans (Sections 401(a) and 457 of the Internal Revenue Code), salary reduction plans or tax sheltered annuities under Section 403(b) of the Internal Revenue Code; and amounts that would otherwise qualify as salary ~~and wages~~ under subsections (b)(1) through (b)(5) above but are not received directly by the member because they are used to finance benefit options in a flexible benefit plan; provided, however, that to be reportable, a flexible benefit plan must be available to teachers on a non-discriminatory basis and cannot include non-qualifying deferred compensation. For the System's purposes, a flexible benefit plan is an option offered by an employer to its employees covered under the System to receive an alternative form of creditable compensation in lieu of employer-provided insurance.

- c) Examples of amounts not reportable ~~to be reported~~ to the System include:

- 1) Any severance payment (e.g., retirement incentives, lump sum bonuses, payments for unused vacation and sick days) becoming due and payable to member subsequent to receipt of final paycheck for regular earnings;
- 2) Any lump sum payment made after the death of the member;
- 3) Expense reimbursements, expense allowances, or fringe benefits unless included in a reportable flexible benefit plan;
- 4) Any monies received by the member under the Workers' Compensation Act or the Workers' Occupational Diseases Act;
- 5) Any amount paid in lieu of previously nonreportable benefits or reported in lieu of previously non-reported compensation where the conversion occurs in the last years of service and one of the purposes is to increase a member's average salary. If the member's non-creditable or non-reported compensation in any of the last seven creditable school years of employment exceeds that of any other subsequent year, the System will presume the difference, unless resulting from the terms of a collective bargaining agreement, to have been converted into salary and wages in the subsequent year for the purpose of increasing final average salary. To overcome the presumption, the member must submit documentary evidence to the System which clearly and convincingly proves that none of the purposes of the change in

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compensation structure was to increase average salary (for example, collectively bargained agreements, change of employer, change in family status);

- 6) Any amount paid by an employer as the employer's one time contribution (or on behalf of the employee as the employee's one-time contribution) required by the System as part of the statutory early retirement option in Section 16-133.2 of the Act; and
- 7) Options to take salary in lieu of employment-related expense allowances or reimbursements;
- 8) Employer payment of the member's one-half of one percent health insurance contribution.

3118

(Source: Amended at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.451 Reporting of Conditional Payments

Payments that are conditioned upon the occurrence of a future event (e.g., retirement) shall be reported in the school year in which the condition upon which payment is predicated occurs.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.460 Calculation of Average Salary

- a) The member's annual salary rate shall be used by the System when calculating average salary. If a member has a full year of service credit and the annual salary includes leave of absence earnings and substitute earnings or part-time noncontractual earnings, the annual salary rate for average salary purposes will never be less than the salary rate the leave of absence earnings is based upon. If a member receives less than one year of service credit in any school year, salary shall consist of creditable earnings.
- b) The highest four consecutive school years of service within the last ten years of creditable service shall be deemed the four highest consecutive credit years posted to the member's account. Provided, however, if a member is credited with less than one school year, the System shall use partial consecutive years to establish four consecutive years of salary.
- c) When a member's employer consolidates or annexes with another employer, the consolidation or annexation shall not constitute a change of employer and the average salary shall be computed as though all salary were earned under the same employer.
- d) Where there are creditable earnings for less than a full year of service credit, and those earnings are used in the calculation of the average salary, the annual salary rate for those earnings is considered

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in the calculation of any member and employer contributions under Sections 16-133.2, 16-133.3, 16-133.4 and 16-133.5 of the Act.

(Source: Amended at 20 Ill. Reg. **3118**, effective
FEB 5 1996)

Section 1650.470 Rollover Distributions

- a) Beginning January 1, 1993, any eligible recipient entitled to receive from the System a refund of contributions pursuant to the provisions of Sections 16-138, 16-143.2, or 16-151 of the Illinois Pension Code [40 ILCS 5/16-138, 16-143.2, 16-151]; a lump-sum benefit pursuant to the provisions of Sections 16-136.4, 16-141 or 16-142 of the Illinois Pension Code [40 ILCS 5/16-136.4, 16-141, 16-142]; or other nonperiodic distribution from the System may elect to have the taxable portion thereof paid in a direct rollover from the System to an eligible retirement plan designated in writing by the eligible recipient; provided, however, that any portion thereof which is a required distribution pursuant to any applicable provision of the Internal Revenue Code is not payable in a direct rollover.
- b) If the taxable portion of the distribution from the System is less than \$200, it is not payable in a direct rollover.
- c) If the taxable portion of the distribution from the System is at least \$200 but less than \$500, the entire sum must either be paid in a single direct rollover or to the eligible recipient.
- d) If the taxable portion of the distribution is greater than \$500, the eligible recipient may have a portion thereof paid to him or her and the balance paid in a direct rollover; provided, however, that the direct rollover must be at least \$500.
- e) Multiple direct rollovers from the System to more than one eligible retirement plan as defined below in subsection (f) of this Section are not allowed.
- f) An "eligible retirement plan" for purposes of this Section is any of the following:
- 1) An individual retirement account described in Section 408(a) of the Internal Revenue Code;
 - 2) An individual retirement annuity described in Section 408(b) of the Internal Revenue Code;
 - 3) An annuity plan described in Section 403(a) of the Internal Revenue Code; or
 - 4) A qualified trust described in Section 401(a) of the Internal Revenue Code that has agreed to accept the distribution.
- g) A "direct rollover" for purposes of this Section is a payment by the System to an eligible retirement plan specified by the eligible recipient as provided above in subsection (a) of this Section.
- h) An "eligible recipient" for purposes of this Section is:
- 1) A member of the System as defined in Section 16-107 of the Illinois Pension Code [40 ILCS 5/16-107]; or

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- 2) A surviving spouse of a member of the System.
- i) If the eligible recipient elects a direct rollover from the System as provided in this Section, the eligible recipient shall certify in writing the following:
- 1) That he or she has read the "Special Tax Notice Regarding Payments from TRS"; and
 - 2) That the direct rollover is being made into an eligible retirement plan as defined in subsection (f) of this Section.
- j) If the eligible recipient elects a direct rollover from the System as provided in this Section, the eligible recipient shall obtain the certification in writing of the entity that is to receive the direct rollover as to the following:
- 1) That the entity receiving the direct rollover is legally eligible to receive such direct rollover;
 - 2) That the entity receiving the direct rollover has agreed to accept such direct rollover;
 - 3) That the direct rollover is being made to an eligible retirement plan as defined in subsection (f) of this Section; and
 - 4) Identifying the type of eligible retirement plan as defined in subsection (f) of this Section to which the direct rollover is being made.
- k) In order to receive payment from the System in a direct rollover pursuant to this Section, the System must receive from the eligible recipient all of the following together, in the form or forms prescribed by the System:
- 1) An application for lump-sum distribution;
 - 2) A rollover election;
 - 3) A certification from the eligible recipient as provided above in subsection (i) of this Section; and
 - 4) A certification from the entity receiving the direct rollover as provided above in subsection (j) of this Section.
- l) Payments from the System that are part of a series of equal or substantially equal periodic payments made at least once a year cannot be paid in a direct rollover, if such payments will last for:
- 1) The life or life expectancy of the person entitled to receive such payments;
 - 2) The lives or joint life expectancies of the person entitled to receive such payments and that person's beneficiary;
 - 3) A period of ten years or more; or
 - 4) A period that represents any type of disability payment.

(Source: Added at 20 Ill. Reg. **3118**, effective
FEB 5 1996)

SUBPART F: RULES GOVERNING ANNUITANTS AND BENEFICIARIES

Section 1650.520 Suspension of Benefits

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- a) Annuitants receiving a retirement annuity under Section 16-132 of the Act may be employed as teachers not in excess of 100 days or 500 hours within any one school year. Employment in excess of 100 days or 500 hours within any one school year shall result in termination of payment. When such employment has terminated, the member may re-apply for retirement annuity to be payable effective on the day following termination of employment.
- b) ~~Any annuitant may have his or her benefit reduced or terminated upon written request provided, however, that the System shall not be liable for the retroactive payment of a reduced or terminated benefit during the period of time such benefit remains reduced or terminated as the result of the annuitant's request. Such annuitant may have his or her benefit increased or reinstated in full upon written request. Such increase or decrease will take effect the first of the month following the date the written request is received in the System's office.~~
- b) Monthly benefit payments to annuitants shall be suspended when two months warrants remain uncashed. The System shall inquire as to the cause for the non-cashing of the warrants. These and subsequent payments shall be made upon learning the circumstances or whereabouts of the warrants, or upon prompt compliance in cashing same.
- c) Recipients of a non-occupational disability benefit, occupational disability benefit, disability retirement annuity, or a monthly survivor benefit who fail to return documentation of continued eligibility within the specified time period shall have their monthly benefit payment suspended. Upon receipt of the required documentation and upon determination of continued eligibility, these and subsequent payments shall be made.

(Source: Amended at 20 Ill. Reg. _____, effective
FEB 5 1996)

Section 1650.530 Power of Attorney

- a) Any annuitant or beneficiary receiving a monthly benefit through payment to his or her attorney-in-fact acting under a power of attorney shall be required to notify the System in writing that such power of attorney is in full force and effect, when reasonably requested to do so by the System. In default of such notice, payment to the attorney-in-fact shall be suspended until notice is received, whereupon payments will be resumed from the date of the last payment. Certified or original copies of the power of attorney papers are required by the System in order to process any benefits.
- b) Each annuitant or member of the System must sign the nomination of beneficiary form. A signature by an attorney-in-fact is not acceptable by the System. If a member or annuitant is not capable of signing the form, he or she may make a mark on the signature line if the mark is witnessed by two individuals who will not receive any benefit under the nomination of beneficiary.

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(Source: Amended at 20 Ill. Reg. _____, effective
FEB 5 1996)

Section 1650.560 Benefits Payable on Death

Survivor benefits, if applicable, shall be paid in accordance with the law in effect on the date of the death. If money is due, no beneficiary named, and no administration of the estate is desired or required, then, upon satisfactory proof of death, the System may make payment through a small estate affidavit. ~~or an affidavit and indemnification agreement. The small estate affidavit is acceptable by the System if the assets of the estate are less than \$50,000 in value. If the assets of the estate are equal to or greater than \$50,000 in value, letters of administration will be required by the System in order to process any death benefits. Whenever death benefits are payable to persons not located, the System shall pay those moneys to the estate or other designated beneficiaries upon receipt of an indemnifying bond.~~

(Source: Amended at 20 Ill. Reg. _____, effective
FEB 5 1996)

SUBPART H: ADMINISTRATIVE REVIEW

Section 1650.620 Right of Appeal

Any member, beneficiary, annuitant or employer ~~individual~~ may appeal a staff disposition of a claim or interpretation of the Act to the Board of Trustees within six months after the staff disposition or interpretation, by filing a written request for an administrative review with the Executive Director. The appeal will be scheduled to be heard at the next meeting of the Board's Claims Hearing Committee (Committee) having space on the agenda for such hearing. The Committee shall be composed of three members of the Board, elected by the Board to serve on the Committee. The Board shall elect an alternate member from the Board to serve on the Committee in the absence of a member of the Committee. Any member(s) of the Committee may be disqualified from hearing an appeal due to bias or conflict of interest in the appeal.

(Source: Amended at 20 Ill. Reg. _____, effective
FEB 5 1996)

SUBPART IH: AMENDMENT TO BYLAWS AND RULES

Section 1650.710 Amendments

The Bylaws and Rules may be altered or amended by a majority vote of all members of the Board of Trustees provided such alterations or amendments shall not be inconsistent with all provisions of the law, and provided further that notice of any proposed alteration or amendment shall be given each member of the Board of Trustees by the Director at least ten days prior to the regular :

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special meeting at which the amendment is to be considered.

SUBPART J: RULES OF ORDER

Section 1650.810 Parliamentary Procedure

The rules of parliamentary practice contained in "Robert's Rules of Order," latest edition, shall govern the business before the Board of Trustees provided they are not inconsistent with the Bylaws or Rules of the Board.

SUBPART K: FREEDOM OF INFORMATION ACT REQUESTS

Section 1650.910 Summary and Purpose

a) These rules are established to implement the provisions of the Freedom of Information Act [5 ILCS 140]. The purpose of these rules is to provide public access to public records in the possession of the System while at the same time protect legitimate privacy interests of the System's members and staff and maintain administrative efficiency of the System.

b) These rules create a procedure by which the public may request and obtain public records from the System. Therefore, they are being filed in accordance with Section 5-15 of the Illinois Administrative Procedures Act [5 ILCS 100 5-15].

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

Section 1650.920 Definitions

a) Terms used in these rules shall have the same meaning as in the Freedom of Information Act.

b) "FOIA" means the Freedom of Information Act.

c) "Requestor" means a person who submits a request for public records in accordance with this Subpart.

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

Section 1650.930 Submission of Requests

a) FOIA requests shall be submitted to: Office of the General Counsel, Illinois Teachers' Retirement System, P.O. Box 19253, 2815 West Washington, Springfield, Illinois 62794-9253.

b) An envelope containing a FOIA request shall be plainly marked "FOIA REQUEST." Failure to so mark the envelope may delay processing.

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

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Section 1650.940 Form and Content of FOIA Requests

a) FOIA requests shall be made in writing.

b) The requestor shall provide the following information:

- 1) The requestor's name, address and telephone number;
- 2) A specific description of the public records requested; and
- 3) Whether the request is for inspection of public records, copies of public records, or both.

c) A request for copies of public records may also include a request that the records be certified.

d) Oral requests for public records will be handled expeditiously. However, the provisions contained in FOIA and these rules do not apply to oral requests.

e) A request not meeting the requirements of these rules may be returned as improperly submitted.

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

Section 1650.950 Appeal of a Denial

a) A requestor whose FOIA request has been denied may appeal the denial to the Executive Director of the System. The notice of appeal shall be made in writing and sent to: Office of the Executive Director, Illinois Teachers' Retirement System, P.O. Box 19253, 2815 West Washington, Springfield, Illinois 62794-9253.

b) The notice of appeal shall include a copy of the original FOIA request, a copy of the denial received by the requestor, and a statement of the reasons why the appeal should be granted.

c) An appeal not meeting the requirements of this Section may be returned to the person making the appeal as improperly filed.

d) Upon approval of a FOIA request, the System may either provide the materials immediately, give notice that the materials shall be made available upon payment of reproduction costs or give notice of the time and place for inspection of records.

e) A denial of a FOIA request shall be made in writing. It shall state the reasons for the denial and the names and titles of individuals responsible for the decision. It shall also give notice of the requestor's right to appeal to the Executive Director of the System.

f) Categorical requests creating an undue burden upon the System shall be denied only after extending to the requestor an opportunity to confer in an attempt to reduce the request to manageable proportions in accordance with Section 3(f) of FOIA [5 ILCS 140/3(f)].

g) Failure to respond to a written request within seven working days may be considered by the requestor to be denial of the request.

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Section 1650.990 Copies of Public Records

- a) Copies of public records shall be provided as set forth in Section 1650.950(d).
- b) Any copying costs shall be assessed as set forth in subsection (d) below.
- c) Charges shall be waived if the requestor is a State agency, a constitutional officer or a member of the General Assembly. Charges may be waived in any other case where the System, pursuant to Section 6(b) of the FOIA 5 ILCS 140.6(b), determines that the waiver serves the public interest.
- d) The following fees shall be assessed for copying costs:
 - 1) Cost of copying documents at the System on the System's copying equipment is \$.25 per page.
 - 2) In the event the System must refer the task to an outside printer or copy service, the fee shall be the actual vendor charges.
 - 3) Cost of certifying documents is \$1.00 per certification.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.995 Materials Available Under Section 4 of FOIA

The System shall make available to the public for inspection and copying at no charge and shall send through the mail if requested the following materials:

- a) A brief description of the organizational structure and budget of the System; and
- b) A brief description of the means for making a FOIA request, including the fee schedule set forth in Section 1650.990(d).

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

SUBPART C: BOARD ELECTION PROCEDURES

Section 1650.1000 Nomination of Candidates

- a) Any candidate for a vacant teacher position on the System's Board of Trustees shall be nominated by a written petition signed by no fewer than 500 individuals who, as of the date of signing, were teachers as defined in Section 16-106 of the Illinois Pension Code (40 ILCS 5/16-106).
- b) Any candidate for a vacant annuitant position on the System's Board of Trustees shall be nominated by a written petition signed by no fewer than 500 individuals who, as of the date of signing, were teachers as defined in Section 16-111.1 of the Illinois Pension Code (40 ILCS

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(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.960 Executive Director's Response to Appeal

The Executive Director shall respond to an appeal within seven working days after receiving notice thereof. The Executive Director shall either affirm the denial or provide access to the requested public records. Failure to respond within seven (7) working days may be considered by the requestor to be an affirmation of the denial.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.970 Response to FOIA Requests

- a) The System shall respond to a FOIA request within seven working days after the receipt of such request.
- b) The System may give notice of an extension of time to respond which does not exceed an additional seven working days. Such an extension is allowable only if written notice is provided within the original seven working day time limit and only for the reasons provided in Section 3(d) of FOIA (5 ILCS 140/3(d)). Such notice of extension shall state the reasons why the extension is necessary.
- c) The System shall respond to a FOIA request in one of three ways:
 - 1) Approve the request.
 - 2) Approve in part and deny in part.
 - 3) Deny the request.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.980 Inspection of Records at System Office

- a) Public records which are not FOIA exempt may be inspected at the System's Springfield Office. The person making the request will be notified by the System of the time and place where the records will be available for inspection. Records may be inspected from 8:30 a.m. to 4:30 p.m. on normal working days.
- b) Documents which the requestor wishes to have copied shall be segregated during the course of the inspection. All copying shall be done by System employees, except that, if work load requires, the System may refer the copying to an outside printer or copy service.
- c) An employee of the System may be present throughout the inspection. A requestor may be prohibited from bringing bags, briefcases or other containers into the inspection room.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

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- c) Petitions may be circulated for signatures by any individual or entity at any time during the school term in which the election is held and prior to the time for filing such petition with the Board's secretary as provided in subsection (b)(5) of Section 1650.1010.
- d) An individual eligible to sign a petition nominating a candidate for a vacant teacher position on the Board may sign petitions for as many candidates as desired.
- e) An individual eligible to sign a petition nominating a candidate for a vacant annuitant position on the Board may sign petitions for as many candidates as desired.

(Source: Added at 20 Ill. Reg. **3118**, effective
FEB 5 1996)

Section 1650.1010 Petitions

- a) All petitions shall be in the form adopted by the System. Petition forms may be obtained from the System, upon request of any individual or entity.
- b) A valid petition nominating a candidate for a vacant teacher position or a vacant annuitant position on the System's Board of Trustees shall meet the following requirements:

- 1) The petition must be in writing;
- 2) The petition must bear the requisite number of original signatures of individuals eligible to nominate the candidate pursuant to subsection (a) or (b) of Section 1650.1000. A valid petition may consist of multiple pages and may contain blank signature lines; however, all valid signatures thereon must be original signatures;
- 3) Each signature of an eligible voter must be accompanied by the signing person's name, street address, city, and state;
- 4) The petition shall bear the notarized signature of the individual who circulated the petition for signatures, verifying that the signatures contained thereon were signed in that individual's presence, are genuine, and that to the best of the circulating individual's knowledge, the persons who signed the petition were eligible to do so as provided in subsection (a) or (b) of Section 1650.1000;
- 5) Petitions shall be filed with the Board's secretary not less than 90 nor more than 120 days prior to the election day;
- 6) Petitions filed less than 90 days prior to the election day are invalid and will be returned to the party submitting such petition for filing; and
- 7) Petitions filed more than 120 days prior to the election day will not be accepted and will be returned to the party submitting such petition for filing. Nothing in this subsection precludes the timely re-filing of petitions filed more than 120 days prior to

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the election day.

- c) The Board's secretary shall determine the validity of all petitions not less than 75 days prior to the election day.
- d) Any individual may, upon reasonable notice to the System, examine the petitions which have been filed with the System with respect to the election to take place that year; provided, however, that in order to protect the signing teachers' and annuitants' rights to privacy and confidentiality as to their names, addresses, and social security numbers, such examination shall only take place subject to the following limitations:
- 1) Petitions may only be examined at the System's offices after the validity of the petitions has been verified by the Board's secretary as provided above in subsection (c) of this Section;
 - 2) Petitions may not be removed from the System's offices, copied, or duplicated by any means; and
 - 3) Petitions, including any information thereon, shall not be subject to production or disclosure under the provisions of the Illinois Freedom of Information Act (FOIA) [5 ILCS 140].

(Source: Added at 20 Ill. Reg. **3118**, effective
FEB 5 1996)

Section 1650.1020 Eligible Voters

- a) An individual is eligible to vote for a vacant teacher position on the Board of Trustees of the System if he or she was a "teacher" as defined in Section 16-106 of the Illinois Pension Code [40 ILCS 5/16-106] as of March 1 of the year in which the election is held.
- b) An individual is eligible to vote for a vacant annuitant position on the Board of Trustees of the System if he or she was an "annuitant" as defined in Section 16-111.1 of the Illinois Pension Code [40 ILCS 5/16-111.1] as of March 1 of the year in which the election is held.
- c) A person who is eligible to vote for a vacant teacher position pursuant to subsection (a) of this Section is not eligible to vote for a vacant annuitant position.
- d) A person who is eligible to vote for a vacant annuitant position pursuant to subsection (b) of this Section is not eligible to vote for a vacant teacher position.

(Source: Added at 20 Ill. Reg. **3118**, effective
FEB 5 1996)

Section 1650.1030 Election Materials

- a) At least 10 days prior to the election day, the System shall mail to the eligible voter's latest address known to the System the following election materials:

- 1) A preprinted, perforated ballot/signature card listing, in

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alphabetical order, either the teacher candidates or the annuitant candidates, depending on the basis for the individual's eligible voter status as provided in Section 1650.1020(a) or (b); and

- 2) A preprinted, return envelope addressed to the System's Board, perforated with the section marked "For Ballot Only," and the other section marked "For Signature Card Only."

b) If an eligible voter has not received any or all of the election materials specified in subsection (a) of this Section prior to the election day, the eligible voter may request that the System send election materials to him or her. Upon such request, the System shall verify that the requesting individual is an eligible voter as provided in Section 1650.1020, and upon such verification shall send the eligible voter a written certification of nonreceipt in the form prescribed by the System. The eligible voter shall complete the certification attesting to nonreceipt of election materials and return it to the System.

c) Upon receipt of the certification of nonreceipt provided above in subsection (b) of this Section, the System shall mail election materials to the requesting eligible voter via first class U.S. mail, or if the election is less than one week away, via priority U.S. mail. All requirements imposed by Section 1650.1040 regarding marking of ballots, and by Section 1650.1050 regarding return of ballots shall remain applicable.

d) If previously mailed election materials are returned to the System undelivered at least one week prior to the election day and a forwarding address has been provided, the System shall mail election materials to the forwarding address via first class U.S. mail.

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

Section 1650.1040 Marking of Ballots

A valid ballot must conform to the following requirements:

a) All choices of candidates must be indicated by a cross mark consisting of two lines which intersect inside the square immediately before the name of the selected candidate. If two lines do not intersect inside the square, the mark is invalid and will not be counted;

b) Each eligible voter is entitled to only one vote for any particular candidate;

c) With respect to a ballot containing the names of candidates for a vacant teacher position on the Board, no more than two candidates may be selected. If more than two candidates are selected, the ballot is invalid and will not be counted. If only one candidate is selected, the selection will count as only one vote;

d) With respect to a ballot containing the names of candidates for a vacant annuitant position on the Board, no more than one candidate

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may be selected. If more than one candidate is selected, the ballot is invalid and will not be counted; and

e) Handwritten entries of candidates are invalid and will not be counted.

(Source: Added FEB 5 1996 at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

Section 1650.1050 Return of Ballots

a) Upon receipt of the election materials specified above in Section 1650.1030, the eligible voter shall:

1) Mark his or her ballot in accordance with Section 1650.1040;

2) Write his or her signature and address on the signature card;

3) Detach the completed ballot and signature card along the perforated margin;

4) Place the completed ballot into the perforated section of the return envelope marked "For Ballot Only", without separating the sections of the envelope;

5) Place the signed signature card into the perforated section of the return envelope marked "For Signature Card Only", without separating the sections of the envelope; and

6) Attach postage, seal and mail the unseparated return envelope consisting of both the "For Ballot Only" and the "For Signature Card Only" sections, so as to ensure that it will reach the System at or prior to 10:00 a.m. on the election day.

b) Ballots must be received at the System via U.S. mail or express delivery service at or prior to 10:00 a.m. on the election day. Ballots received after 10:00 a.m. on the election day are invalid and will not be counted.

c) All eligible voters must return their ballots to the System individually, either via U.S. mail or express delivery service. Ballots returned to the System in bulk, via hand delivery, or delivery other than as specified in this subsection, are invalid and will not be counted.

d) Ballots returned in the "For Signature Card Only" section of the perforated envelope are invalid and will not be counted.

e) Ballots returned with an unsigned signature card, or without a signature card, are invalid and will not be counted.

f) Ballots returned in any envelope other than the perforated envelope provided by the System are invalid and will not be counted.

g) The perforated return envelope must not be separated into sections. If the return envelope is separated prior to the System's receipt, the ballot contained therein is invalid and will not be counted.

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

Section 1650.1060 Observation of Ballot Counting

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- a) Each candidate, or any organization or association representing at least 20% of teachers or annuitants of the System, may designate a poll watcher to observe the ballot counting which shall take place on the election day, pursuant to Section 16-165 of the Illinois Pension Code [40 ILCS 5/16-165]; provided, however, that each such candidate, organization or association is entitled to no more than two poll watchers. Each such poll watcher shall comply with the following rules:

- 1) The poll watcher may arrive no earlier than 7:45 a.m. on the election day;
 - 2) Upon arrival, the poll watcher shall identify him or herself and the candidate, organization or association which he or she represents. Only individuals whom the System can verify are properly authorized to represent the candidate, organization or association when they purport to represent will be allowed to observe as poll watchers;
 - 3) While on the polling premises, the poll watcher shall at all times wear the tag provided identifying him or her as a poll watcher;
 - 4) The poll watcher is only authorized to be present in the area or areas designated by the election coordinator;
 - 5) The poll watcher shall not move from one authorized location to another or otherwise move about the premises without an escort provided by the election coordinator;
 - 6) The poll watcher's function is limited to visual observation and taking notes, if desired. No challenges or disruptions of any kind to the ballot counting process shall be permitted during the observation of the ballot counting process;
 - 7) The poll watcher shall not speak with any person identified as a canvasser, judge, or data entry personnel in connection with the ballot counting process;
 - 8) The poll watcher may stand behind ballot counting tables and data entry workstations at a reasonable distance; provided, however, that no physical contact with ballots, signature cards, counting tables, data entry equipment, canvassers, judges, or data entry personnel shall be allowed;
 - 9) The poll watcher must leave the premises when all of the ballots have been counted; and
 - 10) Any poll watcher who does not adhere to the rules set forth in this subsection (a) shall forfeit any continued right to observe the ballot counting process and will be asked to leave the premises immediately. If the disruptive conduct continues, the poll watcher will be escorted from the premises.
- b) Any member of the public may observe the ballot counting process only from the area specifically designated by the election coordinator for public observers. Each public observer shall comply with the following rules:
- 1) The observer may arrive no earlier than 8:30 a.m. on the election

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day:

- 2) Upon arrival, the observer shall identify him or herself;
- 3) While on the polling premises, the observer shall at all times wear the tag provided identifying him or her as a public observer;
- 4) The observer is only authorized to be present in the area specifically designated by the election coordinator for public observers;
- 5) The observer shall not move about the premises;
- 6) The observer's function is limited to visual observation and taking notes, if desired. No challenges or disruptions of any kind to the ballot counting process shall be permitted during the observation of the ballot counting process;
- 7) The observer shall not speak with any person identified as a canvasser, judge, or data entry personnel in connection with the ballot counting process;
- 8) No physical contact with ballots, signature cards, counting tables, data entry equipment, canvassers, judges, or data entry personnel shall be allowed;
- 9) The observer must leave the premises when all of the ballots have been counted; and
- 10) Any observer who does not adhere to the rules set forth in this subsection (b) shall forfeit any continued right to observe the ballot counting process and will be asked to leave the premises immediately. If the disruptive conduct continues, the observer will be escorted from the premises.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.1070 Certification of Ballot Counting

The System's ballot tabulating program shall be certified in writing by an independent consultant. Such certification shall provide that the System's ballot tabulation process correctly tabulates ballots.

(Source: Added at 20 Ill. Reg. 3118, effective FEB 5 1996)

Section 1650.1080 Challenges to Ballot Counting

- a) Any challenge to the ballot counting shall be made in the following manner:

- 1) Only those candidates, organizations or associations which had a poll watcher present during the ballot counting in accordance with Section 1650.1060(a), or a public observer present during the ballot counting in accordance with Section 1650.1060(b), shall have standing to challenge the ballot counting.

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- 2) The challenger shall submit to the Board a written statement identifying the specific aspect or aspects of the ballot counting process which are being challenged.
- 3) All challenges as provided in this Section shall be submitted no later than 7 days after the election day. Any challenge submitted more than 7 days after the election day shall not be considered.

b) The written statement timely submitted in accordance with subsection (a) of this Section shall be presented and considered by the Board at the next regularly scheduled meeting of the Board. The challenger shall have no right to appear at the Board meeting. The Board shall, in its sole discretion, determine what steps, if any, need to be taken in response to the challenge, including, but not limited to, modifying the election results declared by the Board in accordance with Section 16-165 of the Illinois Pension Code [40 ILCS 5/16-165]. In the event that election results have already been declared by the Board in accordance with Section 16-165 of the Illinois Pension Code [40 ILCS 5/16-165], such election results shall remain valid pending determination of any challenge as provided by this Section.

d) The Board shall send written notice of its determination to the challenger and all candidates within 30 days after making such determination.

(Source: Added at 20 Ill. Reg. **3118**, effective **FEB 5 1996**)

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- 1) Heading of the Part: Joint Rules of the Illinois Environmental Protection Agency ("IEPA"), the Illinois Department of Public Health ("IDPH"), and the Illinois Department of Nuclear Safety ("IDNS"): Certification and Operation of Environmental Laboratories
- 2) Code Citation: 35 Ill. Adm. Code 183
- 3) Section Numbers: Ad-pref Action:
 183.115 Amended
 183.125 Amended
 183.130 Amended
 183.132 Amended
 183.133 Amended
 183.134 Amended
 183.140 Amended
 183.235 Amended
 183.440 Amended
 183.Appendix A Amended
 183.Appendix B Amended
- 4) Statutory Authority: Implementing and authorized by Section 1401(1)(d) of the Safe Drinking Water Act (42 U.S.C. 300f (1)(D)), Subpart of the National Interim Primary Drinking Water Regulations (40 C.F.R. 141.21 through 141.30 (1991)), the Illinois Environmental Protection Act [415 ILCS 5] and the Civil Administrative Code of Illinois [20 ILCS 5] and authorized by Sections 4(o) and (p) of the Illinois Environmental Protection Act [415 ILCS 5/4(o) and (p)] and Sections 55.10 through 55.12 and Section 71 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.10 through 55.12, and 20 ILCS 2005/71(D)].

5) Effective Date of the Amendments: February 5, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: January 29, 1996

9) Notice of Proposal Published in the Illinois Register August 18, 1995, 19 Ill. Reg. 11731.

10) Has JCER issued a State of Objection to this rule? No

11) Differences between the proposed and adopted version. The IEPA has made changes to the text of these amendments in accordance with the recommendations of the Joint Committee on Administrative Rules ("JCER"). In addition, the IEPA agreed to include in the Agency Notes to Sections 183.Appendix A and 183.Appendix B the IEPA address as the source for the

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER II: ENVIRONMENTAL PROTECTION AGENCY

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methods, standards, and procedures of this rulemaking and to delete the federal approval references to the incorporations by reference.

12) Have all the changes agreed upon by the agencies and JCAR been made as indicated in the agreement letter issued by JCAR? The agencies have agreed to all the substantive modifications with JCAR. On December 12, 1995, JCAR transmitted a Certificate of No Objection to Proposed Rulemaking to the IEPA as lead agency for this rulemaking.

13) Will these amendments replace an emergency amendments currently in effect? No

14) Are there other proposed amendments pending on this Part? No

15) Summary and purpose of rules: These amendments to this Part under the jurisdiction of the IEPA establish new analytical methods for the testing of inorganic and organic contaminants in drinking water as regulated pursuant to the federal Safe Drinking Water Act (42 U.S.C. 300f (1991)) and the Illinois Environmental Protection Act [415 ILCS 5/1 (1994)]. The adopted amendments to this Part incorporate the changes to the analytical methods for drinking water that were adopted by the U.S. Environmental Protection Agency ("U.S. EPA") and published in the Federal Register at 59 Fed. Reg. 362456 (December 5, 1994).

The adopted changes of the IDNS delete obsolete language terminology that was published by U.S. EPA in the above-referenced Federal Register. Accordingly, the IDNS adopted amended references to "intercomparison cross check studies" and "an unknown samples performance study" in 35 Ill. Adm. Code 183.440 to "Performance Evaluation Studies" and "the blind Performance Evaluation Study", respectively.

16) Information and questions regarding the adopted amendments should be directed to:

Stephen C. Ewart
Deputy Counsel
Division of Legal Counsel
Illinois Environmental Protection Agency
2200 Churchill Road, P.O. Box 19276
Springfield, IL 62794-9276
(217) 782-5544

17) The full text of the adopted amendments begins on the next page:

PART 183
JOINT RULES OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, THE ILLINOIS DEPARTMENT OF PUBLIC HEALTH AND THE ILLINOIS DEPARTMENT OF NUCLEAR SAFETY: CERTIFICATION AND OPERATION OF ENVIRONMENTAL LABORATORIES

SUBPART A: GENERAL PROVISIONS

Section	
183.105	Authority
183.110	Scope and Applicability
183.115	Definitions
183.120	Division of Authority
183.125	Certification Procedure
183.130	Conditions Governing the Use of Certificates
183.131	Provisional Certification
183.132	Preliminary Certification
183.133	Changes in Ownership or Operations
183.134	Revocation of Certification
183.135	Subcontracting by Certified Laboratories
183.140	Performance Evaluation Samples-Quality Assurance-Samples
183.145	Authority of Certification Officers
183.150	Hearing, Decision and Appeal
183.155	Liability
183.160	Reciprocity Agreements
183.165	Reporting (Repealed)
183.170	Public Inspection of Records (Repealed)

SUBPART B: CHEMICAL ANALYSES OF PUBLIC WATER SUPPLY SAMPLES

Section	
183.205	Scope and Applicability
183.210	Personnel Requirements
183.215	Laboratory Facilities
183.220	Laboratory Equipment
183.225	General Laboratory Practices
183.230	Methodology and Required Equipment
183.231	Alternate Analytical Techniques
183.235	Sample Collection, Handling and Preservation
183.240	Quality Control
183.245	Record Maintenance
183.250	Free Chlorine Residual and Turbidity

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183.255 Action Response to Laboratory Results

SUBPART C: MICROBIOLOGICAL ANALYSES OF
PUBLIC WATER SUPPLY SAMPLES

Section

- 183.305 Scope and Applicability
- 183.310 Personnel Requirements
- 183.315 Laboratory Facilities
- 183.320 Laboratory Equipment
- 183.325 Laboratory Glassware, Plastic Ware and Metal Utensils
- 183.330 General Laboratory Practices
- 183.335 Methodology
- 183.340 Sample Collection, Handling and Preservation
- 183.345 Standards for Laboratory Pure Water
- 183.350 General Quality Control Procedures
- 183.355 Quality Controls for Media, Equipment and Supplies
- 183.360 Data Handling
- 183.365 Record Maintenance
- 183.370 Action Response to Laboratory Results

SUBPART D: RADIOCHEMICAL ANALYSES OF PUBLIC
WATER SUPPLY SAMPLES

Notes

183.405	Scope and Applicability
183.406	Length of Certification for Radiochemical Laboratories
183.410	Personnel Requirements
183.415	Laboratory Facilities
183.420	Laboratory Equipment and Instrumentation
183.425	General Laboratory Practices
183.430	Analytical Methodology
183.435	Sample Collection, Handling and Preservation
183.440	Quality Assurance
183.445	Record Maintenance
183.450	Action Response to Laboratory Results

APPENDIX A Methodology and Required Equipment for Inorganic Chemical

Analyses of Public Water Supply Samples

APPENDIX B
Methodology and Required Equipment for Regulated
Chemical Analyses of Public Water Supply Samples
Organic

AUTHORITY: Implementing Section 1401(l)(d) of the Safe Drinking Water Act (42 U.S.C. 300f(d)), Subpart C of the National Primary Drinking Water Regulations (40 CFR 141.30 through 141.30 (1991)), the Illinois Environmental Protection Act [415 ILCS 5] and the Civil Administrative Code of Illinois [20 ILCS 5] and authorized by Sections 4(o) and (p) of the Illinois Environmental Protection Act [415 ILCS 5/4(o) and (p)] and Sections 55.10 through 55.12 and

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Section 71 of the Civil Administrative Code of Illinois [20 ILCS 2310/55.10 through 55.12 and 20 ILCS 2005/71(D)].

SOURCE: Adopted at 3 Ill. Reg. 34, p. 103, effective August 19, 1979; codified at 6 Ill. Reg. 14657; amended at 7 Ill. Reg. 13523, effective September 28, 1983; amended at 14 Ill. Reg. 8592, effective May 16, 1990; amended at 17 Ill. Reg. 12319, effective July 14, 1993; amended at 20 Ill. Reg. 3160, effective FEB 5 1996.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

SUBSISTENCE PROVISIONS

Section 183.115 Definitions

For purposes of this Part unless otherwise specifically defined or the context clearly requires a different meaning:

"Act" means Section 4(o) and (p) of the Environmental Protection Act, 1986 (Act No. 29 of 1986) and (p) of the Environmental Protection Act, 1986 (Act No. 29 of 1986) and (p) of the Environmental Protection Act, 1986 (Act No. 29 of 1986).

"Agency" means the Illinois Environmental Protection Agency, the Illinois Department of Public Health, or the Illinois Department of Nuclear Safety, whichever is applicable based on the division of authority specified in Section 183.120.

"Analyst" means any person who performs analyses for certain or all parameters on samples submitted to the environmental laboratory and who meets the qualifications set forth in the applicable Subpart of this Part.

"Certification" means a status of approval granted to an environmental laboratory that meets the criteria established by this Part or in accordance with a reciprocity agreement entered into pursuant to Section 193.160. Certification is not a guarantee of the validity of the data generated.

"Certification Officer" means any person who is designated by the Agency to inspect and evaluate environmental laboratories for compliance in meeting the criteria set forth in this part. Certification officers shall meet the educational and experience qualifications for laboratory directors as set forth in Subparts B and D or laboratory supervisors as set forth in Subpart C.

"Consultant" means a person who is retained by a written agreement to provide professional consultation services.

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~~"Cross-Check Sample" means an unknown sample distributed by the State Environmental Protection Agency to Environmental Monitoring System Laboratory (Bas-Vegas) to determine the accuracy of the radiochemical analysts for which the laboratory is or wants to be certified.~~

"Deficiency" means a failure of an environmental laboratory to meet any applicable requirement of this Part.

"Environmental Laboratory" means any facility that performs analyses on environmental samples in order to determine the quality of food, milk, public water supplies, surface water, ground water, recreational waters, wastewater, air, or land.

"Laboratory Director" means the person who is responsible for the operation of an environmental laboratory and who meets the qualifications set forth in the applicable Subpart of this Part.

"Laboratory Pure Water" means water meeting the standards set forth in Section 183.345.

"Laboratory Supervisor" means a person who supervises the performance of the analytical procedures within an environmental laboratory and who meets the qualifications set forth in the applicable Subpart of this Part.

"Major remodeling" means any remodeling of the laboratory facility which requires the acquisition of a local building permit.

"Parameter" means a chemical element, chemical compound, radioisotope or microbiological organism.

"Performance Evaluation Sample" (PES) means a sample used to determine accuracy, prepared either by the certifying agency or an authority recognized by the certifying agency, in which the true value and acceptance limits are unknown to the laboratory at the time of analysis.

"Provisional Certification" means a certification status granted to an environmental laboratory in order to allow time for the correction of a deficiency. Failure to correct a deficiency during the provisional certification period allows the Agency to revoke certification as specified in Section 183.134. While on provisional certification, an environmental laboratory remains approved for the analyses covered by its certification.

"Public Water Supply" means all mains, pipes and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment

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plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use and which serve at least 15 service connections or which regularly serve at least 25 persons at least 60 days per year.

~~"Quality Assurance Sample" means either a performance evaluation sample or a cross-check sample or both as provided in the applicable Section of this Part.~~

"Senior Analyst" means a person who performs analyses on samples submitted to the environmental laboratory and who meets the qualifications set forth in the applicable Section of this Part.

(Source: Amended at 20 Ill. Reg. **3160**, effective **FEB 5 1996**)

Section 183.125 Certification Procedure

a) An environmental laboratory that meets or exceeds the minimum criteria for certification may receive certification from the Agency for any inorganic or organic, microbiological, or radiological parameter for which a methodology has been specified in this Part or for which an alternative methodology has been approved in accordance with the provisions of this Part.

b) The operational aspects of an environmental laboratory that will be evaluated in considering a request for certification are:

- 1) laboratory facilities,
 - 2) personnel,
 - 3) methodology and instrumentation,
 - 4) data handling, and
 - 5) quality assurance program.
- c) In seeking certification, the petitioning environmental laboratory shall:

- 1) Submit a formal request for certification to the Agency;
- 2) File with the Agency on the applicable administrative questionnaires furnished by the Agency, if available, or otherwise in a form approved by the Agency providing complete information on the five categories listed in subsection (b) above;
- 3) Analyze all performance evaluation samples ~~quality assurance samples~~ required in accordance with the applicable Sections of this Part and report the results of such analyses to the Agency; and
- 4) Permit and cooperate in an on-site visit by Agency authorized certification officers. Certification officers shall provide the environmental laboratory with official identification and credentials. The initial visit will be arranged at the mutual

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convenience of both parties. The Agency reserves the right to make subsequent visits without prior notice during regular working hours.

- d) An environmental laboratory seeking certification from more than one Agency shall file a request for certification with each such Agency.
- e) Approval or denial of certification may be made only after the procedure described in subsection (c) above has been completed. Denial of certification shall be in the form of a narrative, giving information as to how deficiencies may be corrected, along with a completed survey form on which all deficiencies are clearly identified.

- f) Environmental laboratories in jurisdictions not having reciprocal agreements with an Agency under Section 183.160 may receive certification from the Agency under this Part and shall pay all of the expenses to be incurred by the Agency, including travel expenses, prior to evaluation.

(Source: Amended at 20 Ill. Reg. **3160**, effective **FEB 5 1996**)

Section 183.130 Conditions Governing the Use of Certificates

- a) Certification of environmental laboratories under Subpart C shall be effective for a two year period and certification of environmental laboratories under Subparts B and D shall be effective for a three-year period from the date of issue, unless modified or revoked by the Agency. Application for timely renewal of certification shall be made to the Agency no later than 90 days prior to the applicable expiration date. Approval of a renewal application shall be contingent upon the environmental laboratory meeting all of the factors considered in granting the original certification, including acceptable results on performance evaluation samples, ~~quality--assurance~~ **samples** required under this Part. When a certified environmental laboratory has made timely and sufficient application for renewal of certification or certification for additional parameters, the existing certification shall, unless otherwise modified or revoked in accordance with this Part, continue in full force and effect until the final decision of the Agency on the application has been made.
- b) Certification shall be limited to those parameters for which an environmental laboratory has been approved and which are listed on the certificate of approval.

- c) The certificate of approval shall be posted or displayed in a prominent place in the laboratory facility.

- d) Information related to the certification of an environmental laboratory shall be accurately represented if used in any advertising and shall prominently include the statement that "Certification by the State of Illinois is not an endorsement or a guarantee of the validity of the data generated." Such information shall also specify the

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parameters for which the environmental laboratory has been certified. The advertising shall not include any representation that the environmental laboratory is certified to perform a type of analysis for which it lacks proper certification.

- e) An environmental laboratory may surrender its certification voluntarily by notifying the Agency in writing and returning the certificate.

(Source: Amended at 20 Ill. Reg. **3160**, effective **FEB 5 1996**)

Section 183.132 Preliminary Certification

The Agency may grant written preliminary certification to an environmental laboratory that has demonstrated compliance with the applicable provisions of this Part after completion of the procedures specified in Section 183.125(c)(1) through (c)(3). Preliminary certification would be available in instances where it would be impractical for the Agency to schedule an on-site visit within six months from the date of a laboratory's submission of satisfactory analysis results for performance evaluation samples, ~~quality--assurance--samples~~. Unless modified or revoked in accordance with this Part, preliminary certification shall remain in effect until certification has been approved or denied in accordance with Section 183.125.

(Source: Amended 20 Ill. Reg. **3160**, effective **FEB 5 1996**)

Section 183.133 Changes in Ownership or Operations

- a) Certification shall not be transferable. In the event of a change of ownership, director, supervisor, or analysts, or relocation or major remodeling of the physical plant of an environmental laboratory, the Agency shall be notified in writing within 15 days and shall be provided with the resume of any new owners, directors, supervisors, and analysts and a description of any relocation or remodeling of the physical plant.

- b) After receiving notification of any of the changes listed in subsection (a) above, unless otherwise specified in this Part for a specific parameter, the Agency may, as applicable, review the resume of any new owner, director, supervisor, or analyst, require the analysis of performance evaluation samples, ~~quality--assurance--samples~~ by any new analyst, or make an on-site visit. However, the Agency may waive any of these actions if it finds such actions to be unwarranted in a specific case. Examples of when such waivers would be appropriate include the following circumstances:

- 1) Waiver of submittal of a summary of education and experience when personnel transferring from one certified laboratory to another are responsible for dealing with the same analytical methods and

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evaluation samples/~~quality--assurance--sample~~ analyses for each analytical parameter or method for which it seeks or wishes to maintain certification in accordance with the certification procedures of Section 183.125(c), the certification renewal procedures of Section 183.130(a), and the quality assurance requirements contained in the applicable Subpart of this Part. Unless otherwise specified in the applicable Subpart of this Part, within 60 days after receipt of a performance evaluation sample/~~quality--assurance--sample~~, the environmental laboratory shall analyze such sample and report the test results to the Agency. There shall be no fee charged to the Agency for such analyses. Failure to provide results proving satisfactory precision and accuracy in two successive samples shall be cause for revocation of certification for the parameter or method not within satisfactory limits.

(Source: Amended at 20 Ill. Reg. **3160** effective
FEB 5 1996)

SUBPART B: CHEMICAL ANALYSES OF PUBLIC WATER SUPPLY SAMPLES

Section 183.235 Sample Collection, Handling and Preservation

a) The manner in which samples are collected and handled is critical for obtaining valid data. A written sampling protocol with specific sampling instructions should be available to sample collectors and for inspection by the certification officer. When the laboratory has responsibility for sample collection, handling, and preservation, there must be strict adherence to correct sampling procedures, complete identification of the sample, and prompt transfer of the sample to the laboratory. Any sample not meeting the following criteria must not be analyzed.

- 1) Samples must be collected in accordance with the approved methodology and the guidance requirements in the IEPA Bureau of Water, Division of Public Water Supplies Handbook, 4/89, exclusive of any subsequent amendments or editions.
- 2) Analytical report forms must contain the location, date and time of collection, collector's name, and any special remarks concerning the sample.
- b) The following standards for container types, preservatives, and holding time shall be met for each individual parameter/(a):

Parameter/(a)	Preservative/(b)	Container/(c)	Maximum Holding Time/(d)
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Alkalinity	Refrigerate at 4° C as soon as possible after collection	P or G	14 days
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equivalent equipment; and
2) Waiver of an on-site visit if the pertinent test procedures involve simple techniques and equipment.

(Source: Amended at 20 Ill. Reg. **3160**, effective
FEB 5 1996)

Section 183.134 Revocation of Certification

a) The Agency may revoke all or any part of an environmental laboratory's certification. Any of the following shall be cause for partial or total revocation of certification:

- 1) Expiration of a period of provisional certification, provided the laboratory has not corrected the deficiencies after being placed on provisional certification in accordance with the provisions of Section 183.131;

2) Unsatisfactory analyses of performance evaluation samples/~~quality--assurance--samples~~ as specified in Section 183.140;

3) Failure to notify the Agency within 15 days after any of the changes listed in Section 183.133 have occurred;

4) Failure to comply with the requirements regarding advertising as specified in Section 183.130(d);

5) Failure to use the analytical methodology specified in this Part or approved in accordance with this Part;

6) Failure to provide notice in accordance with Section 183.131(b) of its status as a provisionally certified environmental laboratory; or

7) Falsification of results of testing of performance evaluation samples/~~quality--assurance--samples~~ or any other information material to the certification.

b) The following factors shall be taken into account by the Agency in determining what action should be taken against a certified environmental laboratory for failing to comply with the requirements of this Section:

- 1) The length of time during which the failure has existed;
- 2) The laboratory's prior record of failures and response in correcting failures noted by the Agency;
- 3) Whether the laboratory knowingly caused or allowed the failure; and
- 4) The potential effect of the failure on the quality of analytical data generated by the laboratory.

(Source: Amended at 20 Ill. Reg. **3160** effective
FEB 5 1996)

Section 183.140 Performance Evaluation Samples /~~Quality--Assurance--Samples~~

An environmental laboratory is required to participate in performance

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<u>Parameter (a)</u>	<u>Preservative (b)</u>	<u>Container (c)</u>	<u>Maximum Holding Time (d)</u>
<u>Aluminum</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Antimony</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Arsenic</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Asbestos</u>	Cool 4° C (h)	P or G	
<u>Barium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Beryllium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Cadmium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Calcium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Chloride</u>	None	P or G	28 days
<u>Chromium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Color</u>	Cool 4° C	P or G	48 hours
<u>Conductivity</u>	Cool 4° C	P or G	28 days
<u>Copper</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Cyanide</u>	Add NaOH to pH greater than 12; ascorbic acid in the presence of residual chloride; refrigerate and keep in dark	P or G	14 days
<u>Fluoride</u>	None	P or G	28 days

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<u>Parameter (a)</u>	<u>Preservative (b)</u>	<u>Container (c)</u>	<u>Maximum Holding Time (d)</u>
<u>Foaming Agents</u>	Cool 4° C		48 hours
<u>Hydrogen ion (pH)</u>	None	P or G	Analyze 2-hours immediately (i)
<u>Iron</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Lead</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Manganese</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Mercury</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	28 days
<u>Nickel</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Nitrate Chlorinated</u>	Cool 4° C	P or G	28 days
<u>Non-Chlorinated</u>	Conc H ₂ SO ₄ (4) to pH less than 2 (g)	P or G	14 days (e)
<u>Nitrite</u>	Cool 4° C	P or G	48 hours
<u>Odor</u>	Cool 4° C	G	24 hours
<u>Orthophosphate</u>	Filter immediately, Cool 4° C	P or G	48 hours
<u>Selenium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Silver</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
<u>Silica</u>	Cool 4° C	P	28 days
<u>Sodium</u>	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months

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Parameter (a)	Preservative (b)	Container (c)	Maximum Holding Time (d)
Sulfate	Cool 4° C	P or G	28 days
Temperature	None	P or G	Analyze immediately (i)
Thallium	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
Total Dissolved Fluoride Residue Solids (TDS)	Cool 4° C	P or G	7 days
Zinc	Conc HNO ₃ (3) to pH less than 2 (b)	P or G	6 months
Synthetic Organic Chemicals	(e) (f)	(e) (f)	(e) (f)
Trihalomethanes	0.008% sodium thiosulfate or ascorbic acid; Refrigerate at 4° C as soon as possible after collection	G with foam -or Teflon-lined cap	14 days
Volatile Organic Compounds	1:1 HCl to pH less than 2, Cool 4° C	G with foam -or Teflon-lined cap	14 days

AGENCY NOTES:

- If a laboratory has no control over these factors the laboratory director must reject any samples not meeting these criteria and so notify the authority requesting the analyses.
 - If HNO₃ ~~(3)~~ the following procedure shall be utilized: if the concentrated acid specified for preservation cannot be used because of shipping restrictions, immediately ship the sample to the laboratory at ambient temperature. Upon receipt, the sample must be acidified with conc. HNO₃ ~~(3)~~ to pH < 2 and held for at least 16 hours before analysis.
- 1) the sample shall be initially preserved by testing and immediately shipped to the laboratory;
- 2) upon receipt in the laboratory the sample shall be acidified

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- With the concentrated acid specified for preservation to pH less than 2, and
- at the time of analysis the sample container shall be thoroughly rinsed with a 1:1 solution of the same type of acid and water with the washings being added to the sample.
 - P = Plastic, hard or soft; G = Glass, hard or soft.
 - In all cases, samples should be analyzed as soon after collection as possible.
 - Chemically suppressed ion chromatography methods cannot be used.
 - Preservation, container, and maximum holding time are specified within the approved methods.
 - No preservation is required if analysis is completed within 48 hours from the time of sample collection.
 - These samples should never be frozen.
 - "Analyze immediately" generally means within 15 minutes after sample collection.

(Source: Amended at 20 Ill. Reg. **3160**, effective **FEB 5 1996**)

SUBPART D: RADIOCHEMICAL ANALYSES OF PUBLIC WATER SUPPLY SAMPLES

Section 183.440 Quality Assurance

- A written description of the current laboratory quality assurance program shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place. A record of analytical quality assurance tests and quality assurance checks on materials and equipment shall be prepared and retained for at least 3 years.
- A laboratory manual containing complete written instructions for each parameter or method for which the laboratory is certified shall be maintained and made available to analysts in an area of the laboratory where analytical work takes place.
- The laboratory shall participate at least twice per year in those U.S. Environmental Protection Agency Performance Evaluation Studies ~~intercomparison cross-check studies~~ that include parameters and methods for which the laboratory is or desires to be certified. Analytical results shall be within 1.73 ± 67 times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal year 1981-1982," EPA-600/4-81-004, Table 3, U.S. Environmental Protection Agency (1982), exclusive of subsequent amendments or editions. Results shall be provided to the Agency within 60 days after receipt of a cross check sample. A copy of this publication is available for public inspection at the Department of Nuclear Safety.
- The laboratory shall participate at least once per year in the blind Performance Evaluation Study ~~an unknown samples performance evaluation~~

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study administered by the U.S. Environmental Protection Agency. Analytical results shall be within 1.73 ±67 times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program, Fiscal Year 1981-1982" for each parameter or method for which the laboratory is or desires to be certified. Results shall be provided to the Agency within 60 days after receipt after the performance evaluation sample.

- e) Operating manuals and calibration protocols for counting instruments shall be available to laboratory personnel.
- f) Calibration data and maintenance records on all radiation instruments shall be maintained in a permanently bound record.

- g) The following quality control procedures shall be utilized by the laboratory on a daily basis:

- 1) To verify internal laboratory precision for a specific analysis, 10 percent or more duplicate analyses shall be performed. If the difference between duplicate analyses exceeds two times the standard deviation of the specific analysis as described in "Environmental Radioactivity Laboratory Intercomparison Studies Program Fiscal Year 1981-82," EPA-600/81-004, Table 3, prior measurements are suspect, calculations and procedures shall be examined, and samples shall be re-analyzed when necessary.

- 2) When 20 or more specific analyses are performed each day, a performance standard and a background sample shall be measured with each 20 samples. If less than 20 specific analyses are performed each day, a performance standard and a background sample shall be measured along with the samples, except for low level gamma counting.

- 3) Quality control performance charts or records shall be maintained for each instrument.

- h) Weights certified by the manufacturer as meeting the requirements established by the NIST for Class "S" weights shall be available at the laboratory and used to make periodic checks on balances.

- i) Chemicals shall be dated upon receipt of shipment and replaced before shelf life has been exceeded.

- j) The laboratory should prepare and follow a written quality assurance (QA) plan. The following items should be addressed in each QA plan:

- 1) Sampling procedures;
- 2) Sample handling procedures which specify procedures used to maintain integrity of all samples (i.e., tracking samples from receipt by laboratory through analysis to final disposition) and provide for maintaining and documenting the chain of custody of samples identified to the laboratory as likely to be the basis for enforcement actions;
- 3) Instrument or equipment calibration procedures and frequency of their use;
- 4) Analytical procedures;
- 5) Data reduction, validation and reporting, including conversion of raw data to final reported results, insuring accuracy of data

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transcription and calculations, and procedures and format for reporting data to utilities, the Agency, and other State and federal agencies;

- 6) Types of quality control checks and frequency of their use which may include preparation of calibration curves, instrument calibrations, replicant analyses, use of quality control samples or calibration standards and use of quality control charts;

- 7) Preventive maintenance procedures and schedules;

- 8) Specific routine procedures used to determine data precision and accuracy for each contaminant measured. Precision is determined based on the results of replicate analyses. Accuracy is normally determined by comparison of results with known concentrations in reagent water standards and by analysis of water matrix samples before and after adding a known contaminant spike;

- 9) Corrective action contingencies, specifying the laboratory's response to obtaining unacceptable results from analysis of performance evaluation samples and from internal quality control checks;

- 10) Laboratory organization and responsibility including a chart or table showing the laboratory organization and line authority and listing the key individuals who are responsible for ensuring the production of valid measurements and the routine assessment of measurement systems for precision and accuracy (e.g., who is responsible for internal audits and reviews of the implementation of the plan and its requirements).

- k) The quality assurance plan may be a separately prepared quality assurance document or may incorporate, by reference, already available standard operating procedures (SOPs) that are approved by the laboratory director and that address the items listed in subsection (j) above. If a particular listed item is not relevant, the quality assurance plan should state this and provide a brief explanation (e.g., some laboratories do not collect samples and thus are not required to describe sampling procedures). A laboratory quality assurance plan should be concise but responsive to the above-listed items. Minimizing paperwork while improving dependability and quality of data are the intended goals.

(Source: Amended at 20 Ill. Reg. **3160**, effective

FEB 5 1996)

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Section 183.APPENDIX A Methodology and Required Equipment for Inorganic Chemical Analyses of Public Water Supply Samples

PARAMETER METHODOLOGY (unfiltered sample) EPA¹ SM² ASTM³ RESIDUANCE ANALYTICAL METHODOLOGY OTHER

Aluminum¹²

Inductively Coupled Plasma Atomic Emission Spectrometry 200.7 31208 -- -- --

Atomic Absorption Spectrometry 200.8 31138 -- -- --

Inductively Coupled Plasma Atomic Emission Spectrometry 200.9 31110 -- -- --

Atomic Absorption Spectrometry 204.2 31108 -- -- --

Atomic Absorption Spectrometry 206.8 31108 -- -- --

Atomic Absorption Spectrometry 207.8 31108 -- -- --

Atomic Absorption Spectrometry 208.8 31108 -- -- --

Atomic Absorption Spectrometry 209.8 31108 -- -- --

Atomic Absorption Spectrometry 210.8 31108 -- -- --

Atomic Absorption Spectrometry 211.8 31108 -- -- --

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Atomic Absorption Spectrometry 213.8 31108 -- -- --

Atomic Absorption Spectrometry 214.8 31108 -- -- --

Atomic Absorption Spectrometry 215.8 31108 -- -- --

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Atomic Absorption Spectrometry 229.8 31108 -- -- --

Atomic Absorption Spectrometry 230.8 31108 -- -- --

Atomic Absorption Spectrometry 231.8 31108 -- -- --

Atomic Absorption Spectrometry 232.8 31108 -- -- --

Atomic Absorption Spectrometry 233.8 31108 -- -- --

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Section 183.APPENDIX A Methodology and Required Equipment for Inorganic Chemical Analyses of Public Water Supply Samples

PARAMETER METHODOLOGY (unfiltered sample) EPA¹ SM² ASTM³ RESIDUANCE ANALYTICAL METHODOLOGY OTHER

Barium

Atomic Absorption Spectrometry 244.2 31138 -- -- --

Atomic Absorption Spectrometry 245.2 31138 -- -- --

Atomic Absorption Spectrometry 246.2 31138 -- -- --

Atomic Absorption Spectrometry 247.2 31138 -- -- --

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Atomic Absorption Spectrometry 275.2 31138 -- -- --

Atomic Absorption Spectrometry 276.2 31138 -- -- --

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AGENCY NOTES: The Methodology specified in Appendix A of this Part refers to the methods, standards and procedures listed below. Copies of the materials listed below can be inspected at the EPA, 1340 N. 9th St., Springfield, IL. Analysis of the Appendix A contaminants shall be conducted in accordance with the methods in the Table, or their equivalent as determined by the USEPA. Criteria for analyzing arsenic, barium, beryllium, cadmium, calcium, chromium, copper, lead, nickel, selenium, sodium, and thallium with digestion or directly without digestion, and analytical procedures are contained in Technical Notes on Drinking Water Methods, EPA-600/R-94-173, October 1994. This document also contains a list of approved analytical test methods which remain available for compliance monitoring until July 1, 1996. These methods will not be available for use after July 1, 1996. Copies may be obtained from the National Technical Information Service, NTIS PB95-104766, U.S. Department of Commerce, 5235 Port Royal Road, Springfield, Virginia 22161. The full three number is 950-10-417. Copies of these standards are available from the Agency and are expected to be subsequent amendments to editions.

1. For approved analytical procedures for metals, the methods applicable to total metals must be used.

1. Methods 150.1, 150.2, and 245.2 are available from US EPA, EMSL, Cincinnati, OH 45268. The identical methods were formerly in "Methods of Chemical Analysis of Water and Wastes", EPA-600/4-79-020, March 1983, which is available at NTIS, PB84-128677.

2. "Methods for the Determination of Metals in Environmental Samples-Supplement 1", EPA-600/R-94-111, May 1994. Available at NTIS, PB94-134942. Methods of Chemical Analysis of Water and Wastes, EPA-600/4-79-020, March 1983, which is available at NTIS, PB84-128677.

3. The procedures shall be done in accordance with the 19th edition of "Standard Methods for the Examination of Water and Wastewater", 1992, American Public Health Association. Copies may be obtained from the American Public Health Association, 1015 Fifteenth Street NW, Washington, DC 20005. "Standard Methods for the Examination of Water and Wastewater", 14th Edition, American Public Health Association, Washington, D.C. 1975.

4. The procedures shall be done in accordance with the "Annual Book of ASTM Standards", Vols. 11.01 and 11.02, 1994, American Society for Testing and Materials, 1991. Copies may be obtained from the American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.

5. Techniques of Water Resources Investigation of the United States Geological Survey, Chapter A-1, "Methods for the Determination of Inorganic Substances in Water and Fluvial Sediments," Book 5, Third Edition, 1989. Available from Books and Open-File Reports Section, U.S. Geological Survey, Federal Center, Box 2425,

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Section 10. APR. (JKA A Methodology) as Required Equipment for Inorganic Chemical Analysis of Public Water Supply Samples

PARAMETER	METHODOLOGY (unified sample)	EPA ²	SM ³	ASTM ⁴	REFERENCE METHOD (unified sample)
Cadmium	Aqueous Ascorbic Acid; Atomic Absorption; Flame Atomic Absorption; Cold Vapor Atomic Absorption; Polarographic	111.9 111.9 111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Chromium	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Copper	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Lead	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Nickel	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Selenium	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Sodium	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Thallium	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Vanadium	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-
Zinc	Ascorbic Acid; Atomic Absorption; Polarographic	111.9 111.9 111.9	311.9	01688-00A J408-90C	-

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6. Denver, CO 80235-0425. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20462.
6. "Standard Methods for the Examination of Water and Wastewater" 16th Edition, American Public Health Association, Washington D.C. 1997.
6. "Method 100.1, Analytical Method for the Determination of Asbestos Fibers in Water", EPA-600/4-83-043, EPA, September 1983. Available at NTIS, PB 83-360471.
7. "Water Test Method for the Determination of Nitrite and Nitrate in Water Using Single Column Ion Chromatography" Method B-1011. Millipore Corporation, Waters Chromatography Chromatographic Division, 34 Maple Street, Milford, Massachusetts 01754.
8. The procedure shall be done in accordance with the Technical Bulletin 601 "Standard Method of Test for Nitrate in Drinking Water", July 1994, PN 221930-001, Analytical Technology, Inc. Copies may be obtained from Ari Orion, 529 Main Street, Boston, MA 02129.
9. "Water-Side-to-Water-and-Wastewater-Analyses-A-Form Method-68997-PP-1985-1985-Research-Embroider Massachusetts-32297". The procedures shall be done in accordance with the Industrial Method No. 129-71W, "Fluoride in Water and Wastewater", December 1972, and Method 380-75WE, "Fluoride in Water and Wastewater", February 1976, Technicon Industrial Systems. Copies may be obtained from Technicon Industrial Systems, Tarrytown, NY 10591.
10. "Water-Side-to-Water-and-Wastewater-Analyses-A-Form Method-129-71W Technicon Industrial Systems, Tarrytown, New York-19597-December 1972".
10. "Fluoride in Water and Wastewater", Technicon Industrial Systems, Tarrytown, New York-19597-February 1976.
10. Method 100.2, "Determination of Asbestos Structure Over 10-um in Length in Drinking Water", EPA-600/R-94-134, June 1994. Available at NTIS, PB94-201902.
11. "Methods for the Determination of Inorganic Substances in Water and Wastewater" Techniques of Water Resources Investigations of the United States Geological Survey, Book 9 Chapter A17-1989, Open File Report-89-495. Available from Open File Services Section, Western District Office, Denver, CO 80202.
11. "Methods for the Determination of Inorganic Substances in Environmental Samples", EPA-600/R-93-100, August 1993. NTIS, PB 94-121811.
12. "Conductivity--Detection--of--Antons--Using--Single--Column Chromatography", Method-A-1993, Millipore Corporation, Waters Chromatography Division, 34 Maple Street, Milford, Massachusetts 01754.
12. Secondary Maximum Contaminant Level (SMCL)-non-enforceable

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13. Federal guidance for aesthetic quality. Laboratory certification is not required to perform analyses for contaminants with SMCLs. Standard Methods for the Examination of Water and Wastewater 17th Edition, American Public Health Association, Washington D.C. 1997.
13. Laboratories are not required to be certified to test for pH and water temperature because they are measured in the field. Laboratories are not required to be certified to test for calcium, orthophosphate, silica, alkalinity, or conductivity because these parameters are generally used to assist water systems and states in determining the best corrosion control treatment. These measurements must be made with an approved method and conducted by a party approved (not certified) by the State.
14. "Analytical Method for the Determination of Asbestos Fibers in Water", EPA-600/4-83-043, September 1983, EPA, Washington, D.C. 20462.
14. "Water-Side-to-Water-and-Wastewater-Analyses-A-Form Method-68997-PP-1985-1985-Research-Embroider Massachusetts-32297". The procedures shall be done in accordance with the Industrial Method No. 129-71W, "Fluoride in Water and Wastewater", December 1972, and Method 380-75WE, "Fluoride in Water and Wastewater", February 1976, Technicon Industrial Systems. Copies may be obtained from Technicon Industrial Systems, Tarrytown, NY 10591.
15. "Water-Side-to-Water-and-Wastewater-Analyses-A-Form Method-129-71W Technicon Industrial Systems, Tarrytown, New York-19597-December 1972".
15. "Fluoride in Water and Wastewater", Technicon Industrial Systems, Tarrytown, New York-19597-February 1976.
16. Method 100.2, "Determination of Asbestos Structure Over 10-um in Length in Drinking Water", EPA-600/R-94-134, June 1994. Available at NTIS, PB94-201902.
17. "Methods for the Determination of Inorganic Substances in Water and Wastewater" Techniques of Water Resources Investigations of the United States Geological Survey, Book 9 Chapter A17-1989, Open File Report-89-495. Available from Open File Services Section, Western District Office, Denver, CO 80202.
17. "Methods for the Determination of Inorganic Substances in Environmental Samples", EPA-600/R-93-100, August 1993. NTIS, PB 94-121811.
18. "Conductivity--Detection--of--Antons--Using--Single--Column Chromatography", Method-A-1993, Millipore Corporation, Waters Chromatography Division, 34 Maple Street, Milford, Massachusetts 01754.
18. Secondary Maximum Contaminant Level (SMCL)-non-enforceable

(Source: Amended at 20 Ill. Reg. _____, effective FEB 5 1996)

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Chromatography 524-2(t)(t)
mass-spectro-
metry

Carbon-tetra-
chloride
Bichloromethane
o-dichloro-
benzene
p-dichloro-
benzene
1,2-dichloroethane
1,1-dichloro-
ethylene
cis-1,2-dichloro-
ethylene
trans-1,2-
dichloro-
ethylene
1,2-dichloro-
propane
Ethylbenzene
Monochloro-
benzene
Styrene
tetrachloro-
ethylene
Toluene
1,2,3,4-
tetrachlorobenzene
1,1,1-trichloroethane
1,1,2-trichloroethylene
Vinyl chloride
Xylenes

Volatiles-Organic
Contaminants
Unregulated(t)(t)

Solvent 504(t)(t)
extraction
Purge-and-trap-- 502-1(t)(t)
gas
chromatography 502-2(t)(t)
503-1(t)(t)
gas 524-1(t)(t)
chromatography
mass 524-2(t)(t)
spectrometry

Agency Note: For the purposes of this Appendix B, the following abbreviations are utilized: EPA = U.S. EPA Methods; SM = Standard Methods; GC = Gas

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Chromatography: LLE = Liquid-Liquid Extraction; LSE = Liquid-Solid Extraction;
MS = Mass Spectrometry; HPLC = High Performance Liquid Chromatography;
GC/MS = Combination Gas Chromatography/Mass Spectrometry.

APPROVED METHODOLOGIES

A. SYNTHETIC ORGANIC CHEMICALS (SOCs)

PARAMETER	METHODOLOGY	EPA	SM
Aldrin	GC, LLE	508	--
Chlordane	GC, Microextraction	505	--
DDT	GC, LSE	508.1	--
Dieldrin	GC, MS	525.2	--
Endrin	LSE		--
Heptachlor			--
Heptachlor Epoxide			--
Hexachlorobenzene			--
Hexachlorocyclopentadiene			--
Lindane			--
Methoxychlor			--
Toxaphene	GC, LLE	508	--
	GC, Microextraction	505	--
	GC/MS, LSE	525.2	--
PCBs(l) (as Aroclors)	GC, Microextraction	505(2)	--
	GC, LSE	508(2)	--
PCB(l)(as deca- chlorobiphenyl)	GC	508A	--
2,4-D	GC, LLE	515.1	--
2,4,5-TP	GC, LSE	515.2	--
Dinoseb	HPLC	555	--
Picloram			--
Pentachlorophenol	GC, LLE	515.1	--
	GC/MS, LSE	525.2	--
	GC, LSE	515.2	--
	HPLC	555	--
Dalapon	GC	515.1	--
	GC, LSE	525.1	--
Alachlor	GC, Microextraction	505(3)	--
Atrazine	GC, LLE	507	--
Simazine	GC/MS, LSE	525.2	--

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PARAMETER	METHODOLOGY	EPA	SM
Di(2-ethylhexyl)adipate	GC, LSE	508.1	--
Di(2-ethylhexyl)phthalate	GC, LLE or GC, LSE GC/MS, LSE	506 525.2	-- --
Carbofuran	HPIC	531.1	6610
Oxamyl			
Dibromochloropropane (DBCP)	GC, Microextraction	504.1	--
Ethylene dibromide (EDB)	GC, LLE	551	--
Benzo(a)pyrene	GC/MS, LSE HPIC, LLE HPIC, LSE	525.2 550 550.1	-- -- --
Diquat	HPIC, LSE	549.1	--
Endosulf	GC or GC/MS, LSE	548.1	--
Glufosinate	HPIC	547	6651
2,3,7,8-TCDD(Dioxin)	High Resolution GC/ High Resolution MS	1613	--

B. VOLATILE ORGANIC CONTAMINANTS REGULATED

PARAMETER	METHODOLOGY	EPA	SM
Total Trihalomethanes (THMs)	GC, Purge and trap GC, LLE GC/MS, Purge and trap	502.2 551 524.2	-- -- --
Benzene	GC, Purge and trap GC/MS, Purge and trap	502.2 524.2	-- --

Dichloromethane
O-dichlorobenzene
P-dichlorobenzene
1,2-dichloroethane
1,1-dichloroethylene
cis-1,2-dichloroethylene
trans-1,2-dichloroethylene
1,2-dichloropropane
Ethylbenzene
Monochlorobenzene
Styrene
Toluene

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PARAMETER	METHODOLOGY	EPA	SM
1,2,4-trichlorobenzene			
1,1,2-trichloroethane			
Vinyl chloride			
Xylenes (total)			
Carbon tetrachloride	GC, Purge and trap	502.2	--
Tetrachloroethylene	GC/MS, Purge and trap	524.2	--
1,1,1-trichloroethane	GC, LLE	551	--
Trichloroethylene			
C. VOLATILE ORGANIC CONTAMINANTS UNREGULATED			
1,2,3-trichloropropane (1)	GC, Purge and trap GC/MS, Purge and trap GC, Microextraction	502.2 524.2 504.1	-- -- --
Volatile Organic Contaminants Unregulated(4,5)	GC, Purge and trap GC/MS, Purge and trap	502.2 524.2	-- --
D. SOCS UNREGULATED(5)			
Butachlor	GC, LLE GC/MS, LSE	507 525.2	-- --
Metolachlor	GC, LLE	507	--
Metribuzin	GC, LSE GC/MS, LSE	508.1 525.2	-- --
Propachlor	GC, LLE GC, LSE GC/MS, LSE	508 508.1 525.2	-- -- --
Aldicarb	HPIC	531.1	6610
PARAMETER	METHODOLOGY	EPA	SM
Aldicarb Sulfoxide			
Aldicarb Sulfone			
Carbaryl			
3-hydroxycarbofuran			
Metomyl			
Dicamba	GC, LLE GC, LSE HPIC	515.1 515.2 555	-- -- --

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of the Part: Private Detective, Private Alarm and Private Security Act of 1993
- 2) Code Citation: 68 Ill. Adm. Code 1240
- 3) Section Numbers:
 1240.10 Adopted Action:
 1240.15 Amendment
 1240.16 Amendment
 1240.40 Amendment
 1240.41 Amendment
 1240.46 Amendment

- 4) Statutory Authority: Private Detective, Private Alarm and Private Security Act of 1993 [225 ILCS 416].

- 5) Effective Date of Amendments: February 2, 1996

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: February 2, 1996

- 9) Date Notice of Proposal Published in Illinois Register: September 22, 1995, at 19 Ill. Reg. 13187.

- 10) Has JCAR issued a Statement of Objections to these amendments? Yes

A) Statement of Objection: December 29, 1995, at 19 Ill. Reg. 17204

B) Agency Response: February 16, 1996, at 20 Ill. Reg. _____

C) Date Agency Response Submitted to JCAR: January 31, 1996

- 11) Difference(s) between proposal and final version: The final version is the same as proposed.

- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes, but no agreement letter with JCAR was necessary for this rulemaking.

- 13) Will these Amendments replace an Emergency Amendment currently in effect?
 Yes

- 14) Are there any Amendments pending on this Part? No

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

- 15) Summary and Purpose of Amendments: Beginning October 1, 1995, fingerprint cards and the fingerprint processing fee no longer will be submitted to the Department of Professional Regulation by applicants from Illinois for private detective, private security contractor, private alarm contractor or security guard licenses. Instead, applicants will be required to contact the Illinois Department of State Police, or its designated agent, to schedule a fingerprint appointment. Verification of fingerprint screening will be submitted directly to the Department from the Illinois State Police. Applicants not residing in Illinois may submit fingerprint cards and the fingerprint processing fee to the Department. The language on fingerprinting procedures is amended in Sections 1240.10, 1240.15, 1240.16, 1240.40 and 1240.46.

- Section 1240.41 is amended to remove a redundancy.

- 16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation
 Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, Illinois 62786
 217 785-0813 Fax: 217/792-7645

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1240
PRIVATE DETECTIVE, PRIVATE ALARM AND
PRIVATE SECURITY ACT OF 1993

- Section
1240.5 Licensure Under Section 6 of the Act (Repealed)
1240.7 Exemptions Under Section 30 of the Act
1240.10 Application for Examination and Licensure - Private Detective and Private Security Contractor
1240.15 Application for Examination and Licensure - Private Alarm Contractor
1240.16 Registration of Proprietary Security Force
1240.20 20-Hour Basic Training Course - General
1240.25 20-Hour Basic Training Course - Security Guards and Alarm Runners
1240.30 Firearm Training Course
1240.35 Approval of Training Programs and Instructors
1240.40 Permanent Employee Registration Cards
1240.41 Refusal to Issue Employee Registration Card or Firearm Authorization Card Due to Criminal History Record Information
1240.45 Firearm Authorization Cards
1240.46 Recordkeeping Requirements
1240.47 Reporting Requirements
1240.48 Uniforms
1240.50 Renewals
1240.51 Requests for Duplicate Certificates
1240.55 Endorsement
1240.60 Restoration
1240.65 Conduct of Hearings
1240.66 Investigation by the Department
1240.70 Granting Variances

AUTHORITY: Implementing the Private Detective, Private Alarm and Private Security Act of 1993 [225 ILCS 446] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Rules and Regulations Promulgated for the Administration of the Illinois Detective Act, effective October 7, 1975; amended at 4 Ill. Reg. 22, p. 251, effective May 15, 1980; codified at 5 Ill. Reg. 11032; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7449, effective June 15, 1982; amended at 6 Ill. Reg. 8208, effective July 15, 1982; emergency amendment at 8 Ill. Reg. 903, effective January 6, 1984, for a maximum of 150 days; Part repealed and new Part adopted at 9 Ill. Reg. 18512, effective November 15, 1985; transferred from Chapter I, 68 Ill. Adm. Code 240 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1240 (Department of Professional

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Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2967; amended at 12 Ill. Reg. 20143, effective November 18, 1988; amended at 15 Ill. Reg. 3051, effective February 11, 1991; amended at 17 Ill. Reg. 1579, effective January 26, 1993; amended at 19 Ill. Reg. 954, effective January 17, 1995; amended at 19 Ill. Reg. 11473, effective July 28, 1995; emergency amendment at 19 Ill. Reg. 13460, effective September 8, 1995, for a maximum of 150 days; ~~amended~~ ² ~~at~~ ² 20 Ill. Reg. ~~3191~~ ³¹⁹¹, effective ~~FEB 2 1996~~ ^{FEB 2 1996}.

Section 1240.10 Application for Examination and Licensure - Private Detective and Private Security Contractor

- a) Applications for licensure by examination, together with all supporting documentation, including verification of work experience, must be on file at least 60 days prior to the date of the examination.
b) No candidate shall be admitted to the examination until having fulfilled the experience and/or education requirements specified in Section 75(a)(7) of the Act. To determine such fulfillment, the following standards shall be applied:
1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.
2) "Full-time supervisor in a law enforcement agency" shall mean a sworn peace officer serving in a full-time position responsible for the direction and performance of other law enforcement personnel.
3) "Investigator in a law enforcement agency" shall mean a sworn peace officer who serves in the capacity of a full time detective/investigator or above rank.
c) The passing grade on the examination is 70 or above.
d) Upon notification of successful completion of the examination, the applicant may apply to the Department for licensure. The application must be complete and must be accompanied by:

- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or ~~finger-
print-cards-issued-by-the-Illinois-Department-of-State
Police-and-one-set-of-fingerprint-cards-issued-by-the-Federal
Bureau-of-Investigation-accompanied-by-the-specified-processing
fee-pursuant-to-Section-105(d)(13)-of-the-Act-or~~
2) Verification, on forms provided by the Department, of full-time

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employment as a police officer, in lieu of fingerprints ~~fingerprints--cards~~. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers;

- 3) 2 photographs 1" x 1", taken within the 3 months preceding application;
- 4) Proof of at least \$1,000,000 of liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and
- 5) The required fee(s) specified in Section 105 of the Act.

e) A successful examination score shall be valid for 6 years. After 6 years the examination score will be void and an applicant will be required to file a new application, meeting the requirements at the time of the new application, and will be required to sit for and pass the examination.

(Source: Amended at 20 Ill. Reg. **3191**, effective FEB 2 1996)

Section 1240.15 Application for Examination and Licensure - Private Alarm Contractor

a) An individual seeking licensure by examination as a private alarm contractor shall make application to the Department, on forms provided by the Department, at least 60 days prior to the examination. The application shall include proof acceptable to the Department that the applicant has fulfilled the required experience specified in Section 70(c) of the Act. To determine such fulfillment, the following standards shall be applied:

- 1) The term "year" shall be 12 months with an average of at least 20 work days per month during which the applicant was engaged in full-time employment equal to 1500 hours or more annually.

2) Applicants qualified to sit for the examination pursuant to Section 75(c) of the Act shall have private alarm experience which shall include, but not be limited to:

- A) Private alarm contractor experience as defined in Section 5 of the Act gained while licensed or lawfully practicing in another jurisdiction with substantially equivalent licensure requirements as in effect in Illinois for 3 of the last 5 years; or

B) A minimum of 3 years experience out of the 5 years immediately preceding application as full-time manager or

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administrator for an agency licensed as a private alarm contractor agency, or for an entity that designs, sells, installs, services or monitors alarm systems which in the judgment of the Board satisfies standards of alarm industry competence. Section 75(c)(8)

- b) The passing score on the examination is 70 or above.
- c) Upon notification of successful completion of the examination, the applicant may apply to the Department for licensure. The application shall include:

- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or ~~fingerprints--cards--issued by the Illinois Department of State Police--and--one set of fingerprints--cards--issued by the Federal Bureau of Investigation--accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or~~

- 2) Verification, on forms provided by the Department, of full-time employment as a peace officer in lieu of fingerprints ~~fingerprints--cards~~. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers.

- 3) 2 photographs 1" x 1" taken within the 3 months preceding application;

- 4) Proof of at least \$1,000,000 of liability insurance held by the applicant as evidenced by a certificate of insurance from the insurer; and

- 5) The required fee(s) specified in Section 105 of the Act.

(Source: Amended, 20 Ill. Reg. **3191**, effective FEB 2 1996)

Section 1240.16 Registration of Proprietary Security Force

- a) Pursuant to Section 24-2 of the Criminal Code of 1961, all commercial or industrial operations who employ 5 or more persons as armed

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security guards in accordance with paragraph (6) and all financial institutions who employ armed security guards in accordance with paragraph (8) shall register their security forces with the Department, on forms provided by the Department, which include the following:

- 1) Business name and address of the proprietary security force;
 - 2) Any doing business as (d/b/a) names of the proprietary security force;
 - 3) The type of business (sole proprietorship, partnership, corporation):
 - A) If a partnership, a listing of all partners and addresses;
 - B) If a corporation, a copy of Articles of Incorporation. If the corporation is a foreign corporation, a copy of the authorization to conduct business in Illinois;
 - 4) The number of armed employees; and
 - 5) The name and title of the security director who will be registering armed employees and who is responsible for the daily activities of the force.
- b) All armed security guard employees of the registered proprietary force in subsection (a) above shall be required to complete a 20 hour basic training course in accordance with Section 1240.25 and a 20-hour firearm training course in accordance with Section 1240.30.
- c) Each proprietary force shall be required to apply to the Department, on forms supplied by the Department, for the issuance of a firearm authorization card, in accordance with Section 1240.45(b) and (c), for each armed employee of the security force. Each application shall include:

- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act; or ~~fingerprints cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation.~~

- A) If the employee has state and federal fingerprints ~~fingerprints cards~~ on file with the Department, additional fingerprints ~~fingerprints cards~~ are not required; or
- B) Verification, on forms, provided by the Department, of full-time employment as a peace officer in lieu of the fingerprint cards. Such verification shall be signed by his/her employer. A peace officer is defined as any person who by virtue of his/her office or public employment is

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vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses, and has completed the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws and individuals holding a Class I or Class II Occupational License issued by the Illinois Gaming Board shall be considered peace officers;

- 2) Verification that the employee has completed the training required in subsection (b) above. If the employee's firearm training was completed more than two years before the request for a firearm authorization card, the employer shall submit evidence that the employee has requalified on the firing range within the one year preceding the request; and
- 3) The fee required in Section 105(d)(17) of the Act; ~~and~~
- ~~4) The required fingerprint processing fee; if applicable.~~
- d) The firearm authorization card shall be retained by the employee for the term of employment. Upon termination of employment, the card shall be returned to the Department by the employer. In the event an employee fails to return a firearm authorization card to the employer, the employer shall notify the Department in writing why the card was not returned.
- e) No employee shall carry a firearm until the requirements of this Section have been satisfied.
- f) If an employee is employed by more than one proprietary security force, that employee must possess a separate firearm authorization card for each force which issues him/her a weapon.
- g) The Department may conduct an inspection to verify the information on the application prior to the proprietary security force being registered with the Department.
- h) All armored car companies registered as proprietary security forces pursuant to this Section shall have all employees who are required to carry a firearm authorization card to complete classroom and range training in weapons on an annual basis and shall maintain a current criminal background check in each employee's file as well as a training certificate. The armored car company shall make these documents available to the Department upon request.

(Source: Amended at 20 Ill. Reg. **3191**, effective **FEB 2 1996**)

Section 1240.40 Permanent Employee Registration Cards

- a) Any person seeking employee registration under Section 80 of the Act shall file an application with the Department, on forms provided by the Department, along with the following:

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(Source: Amended at 20 Ill. Reg. **3191**, effective **FEB 2 1996**)

Section 1240.41 Refusal to Issue Employee Registration Card or Firearm Authorization Card Due to Criminal History Record Information

- a) For purposes of this Section, criminal history record information is defined as information collected by criminal justice agencies (defined in 20 ILCS 2630) on individuals consisting of identifiable descriptions and notation of arrests, detention, indictments, information, or other formal criminal charges, and any disposition arising therefrom, sentencing, correctional supervision and release. The individual records must contain both information sufficient to identify the subject of the record and notations regarding any formal criminal justice transaction involving the identified individual.
- b) In determining whether an applicant for a permanent employee registration card or firearm authorization card is unfit for such registration because of criminal history record information, the Department shall consider the following standards:

- 1) Whether the crime(s) was one of armed violence (720 ILCS 5/Art. 33A, or moral turpitude. Moral turpitude consists of:
 - A) Crimes involving dishonesty, false statement or falsification (including, but not limited to perjury, inducement of perjury, false statement, criminal fraud, embezzlement, false pretense, forgery, counterfeiting and theft).
 - B) Drug offenses including but not limited to the Illinois Controlled Substances Act (720 ILCS 570/Art. I) and Federal Drug Enforcement Laws, 21 U.S.C. 801 et seq.
 - C) Sex offenses including, but not limited to, all crimes listed in Article 11 of the Criminal Code of 1961 (720 ILCS 5/Art. XI).
- 2) Whether the crime is related to the detective, security or alarm profession.
- 3) Whether more than 10 years have elapsed since the date of completion of imposed sentence.
- 4) Whether the conviction was from a city ordinance violation or conviction for which a jail sentence was not imposed.
- 5) Whether the applicant has been sufficiently rehabilitated to warrant the public trust. The Department shall consider, but not be bound by, the following in considering whether an applicant has been presumed to be rehabilitated:
 - A) Completion of probation;
 - B) Completion of parole supervision; or
 - C) If no parole was granted, a period of 10 years has elapsed after final discharge or release from any term of imprisonment without any subsequent conviction.
- c) If any one of the following factors exist, this outweighs the

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- 1) Verification of fingerprint processing from the Illinois Department of State Police, or its designated agent. Effective October 1, 1995, applicants shall contact the Illinois Department of State Police, or its designated agent, for fingerprint processing. Out of state residents unable to utilize the State Police fingerprint process may submit to the Department one set of fingerprint cards issued by the Illinois Department of State Police and one set of fingerprint cards issued by the Federal Bureau of Investigation, accompanied by the specified processing fee pursuant to Section 105(d)(13) of the Act: ~~1--set--of fingerprint--cards--1995--by--the--Illinois--Department--of--State--Police--and--1--set--of--fingerprint--cards--issued--by--the--Federal--Bureau--of--Investigation; or~~

- 2) Verification, on forms provided by the Department, of full-time employment as a peace officer in lieu of fingerprints ~~fingerprints cards~~. Such verification shall be signed by the employer. A peace officer is defined as any person who by virtue of his/her office or public employment is vested by law with a primary duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses and has satisfied the training requirements of the Illinois Police Training Act. For purposes of this Section, officers, agents or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered peace officers:

- 3) One 1" x 1" photograph taken within the 3 months preceding application; and

~~4) The required fingerprint processing fees; and~~

- 4) ~~The required registration fee specified in Section 105 of the Act, made payable to the Department of Professional Regulation.~~

- b) The application, verification of fingerprints processing and the registration fee shall be submitted to the Department prior to the applicant being scheduled to work.

- c) If no record is found affecting the prints, the Department shall issue, to the applicant, a permanent employee registration card, which shall be valid for the period specified on the face of the card, and shall be renewable upon the conditions set forth in Section 1240.50 of this Part.

- d) ~~The employee registration card shall serve as proof to an employer that the bearer thereof is eligible for employment.~~

- e) ~~Persons who have no access to confidential or security information and who do not provide security services are exempt from employee registration. Examples of exempt employees include, but are not limited to, employees working in the capacity of ushers, ticket takers, elevator operators and reception personnel who have no access to confidential or security information. Confidential or security information is that which pertains to employee files, scheduling contracts or technical data.~~

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presumption of rehabilitation as defined in subsection (c) above:

- 1) Lack of compliance with terms of punishment (i.e., failure to pay fines or make restitution, violation of the terms of probation or parole);
 - 2) Unwillingness to undergo, or lack of cooperation in, medical or psychiatric treatment counseling;
 - 3) Falsification of an application for registration with the Department;
 - 4) Failure to furnish to the Department additional information or failure to appear for a conference with the Department in relation to the applicant's application for registration.
- d) The following criminal history records shall not be considered in connection with an application for registration:
- 1) Juvenile adjudications;
 - 2) Records of arrest not followed by a conviction;
 - 3) Convictions overturned by a higher court;
 - 4) Convictions which have been the subject of a pardon or expungement.

e) If determination is made that the applicant is unfit for registration, the applicant shall be so notified in writing that the Department intends to deny or intends to refuse to renew the permanent employee registration card or firearm authorization card. The applicant/licensee shall be given an opportunity to appear at a Department conference regarding the matter. Failure to appear at the conference shall result in the denial or the refusal to renew an applicant's permanent employee registration card or firearm authorization card or ~~firearm authorization card~~. If the applicant chooses not to attend the conference, he/she may request a formal hearing regarding such determination prior to final action by the Department in accordance with 68 Ill. Adm. Code 1110.

(Source: Amended 20 Ill. Reg.

3191

, effective

Section 1240.45 Recordkeeping Requirements

a) Each employer licensed under the Act shall maintain a file on each employee pursuant to Section 80 of the Act. The employee file shall be maintained by the agency for 2 years after termination of the employee, shall be accessible to duly authorized representatives of the Department with 24 hours prior notice, and shall contain the following information:

- 1) A photograph of the employee taken within 10 days of the date the employee commences employment. The photo shall be replaced each 3 calendar years;
- 2) The employee's statement required in Section 80(b) of the Act;
- 3) All correspondence or documents related to the character and integrity of the employee received by the employer from an

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- official source or law enforcement;
- 4) The employee identification card of a terminated employee pursuant to Section 80(h);
 - 5) A copy of the weapons discharge report, if applicable, during the course of the employee's duties or activities;
 - 6) Application for employment;
 - 7) Certification of Completion of Basic Training as provided in Sections 1240.20 and 1240.25 of this Part;
 - 8) Certificate of Firearm Training, if applicable (or notarized copy as provided in Section 1240.30 of this Part) verified by the licensee in charge;
 - 9) Copy of employee's Permanent Employee Registration Card and Firearm Authorization Card and active Firearm Owner's Identification Card (FOID), if applicable; ~~and~~
 - 10) Certification or certified copy of requalification (Section 1240.30); and

11) Copy of the verification of fingerprint processing from the Illinois Department of State Police or its designated agent.

b) Private alarm contractors who provide monitoring services shall maintain a separate roster of the names of all licensed agencies and/or individuals, including license number, from whom they accept monitoring contracts or assignments. The roster shall be made available to the Department upon 24 hour notice. It shall be considered unprofessional conduct, subject to discipline by the Department, for a licensed alarm contractor or agency to accept monitoring contracts or assignments from an unlicensed entity.

(Source: Amended at 20 Ill. Reg.

3191

FEB 2 1996

, effective

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Emergency Medical Services and Trauma Center Code
- 2) Code Citation: 77 Ill. Adm. Code 515
- 3) Section Numbers: Adopted Action:
515.200 New Section
- 4) Statutory Authority: Emergency Medical Services (EMS) Systems Act (210 ILCS 50)
- 5) Effective Date of Rules: February 9, 1996
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain Any Incorporations By Reference? No
- 8) Date Filed in Agency's Principal Office: February 9, 1996
- 9) Date Notice(s) of Proposal was Published in Illinois Register: October 6, 1995 - 19 Ill. Reg. 13823
- 10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No
- 11) Difference Between Proposal and Final Version: The following changes were made in response to comments received during the first notice or public comment period:

1. In line 19, add ", DeKalb".
2. In line 59, add "to Naperville Road" after "east".
3. In lines 60-62, delete "Lemont-Joliet Road (Lemont-Joliet Road is in Region 7); Lemont-Joliet Road east from Cook/Will County line to Illinois Route 83" and insert "Interstate 55; north on Interstate 55 to Illinois Route 83".
4. In lines 71 and 72, change "county" to "County".
5. Delete text in lines 74-79 and replace with the following:
 - 2) South - DeKalb/LaSalle county line east to Kendall county line; DeKalb/Kendall county line north to Kane/Kendall county line; Kane/Kendall county line east to DuPage county line.
6. In line 88, delete "Boone/DeKalb" and insert "McHenry/DeKalb".
7. In line 89, delete "Ogle/DeKalb" and insert "DeKalb/Kane".

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

8. In line 89, delete "DeKalb/Lee county line".
 9. In line 90, delete "DeKalb/LaSalle" and insert "DeKalb/Kendall".
- The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:
1. In line 43, delete "and then south to Lemont-Joliet Road" and add "to Naperville Road; Naperville Road south to I 55; I 55 north to Route 83".
 2. Delete line 44.
 3. In line 45, delete "from Will/Cook county line to Illinois Route 83".
 4. In lines 47 and 63, change "of" to "with".
 5. In lines 47 and 62, delete "from Lemont-Joliet Road".
 6. In lines 49 and 65, add "north along the" after "Summit".
 7. In line 50, after "Region 7)" add "; south along the Chicago city limits to the Indiana/Illinois state line".
 8. In line 55, after "Kendall/LaSalle county line" add "from Route 71 south to Grundy/LaSalle county line".
 9. In line 58, after "east to" add "O'Hare International Airport (O'Hare International Airport is in Region 11); along the south and east boundary of O'Hare International Airport north of the city limits of Rosemont (Rosemont is in Region 8) to the Chicago city limits. (Norridge and Harwood Heights are in Region 8. Schiller Park is in Region 9.)".
 10. In lines 73-75, delete all language after "South-" and add "Route 71 north from the LaSalle/Kendall county line to Route 156; Route 156 east to the Kendall/Will county line".
 11. In line 76, after "Route 33 south" add "from the Illinois/Wisconsin Border".
 12. In lines 82 and 98, add "along the" before the second time "Niles" appears.
 13. In line 83, after "Chicago city limits" add "(Niles is in Region 10); along the Chicago city limits south and west to the Rosemont city limits (Park Ridge is in Region 9 and Rosemont is in Region 8); along the northern boundary of O'Hare International Airport to the

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DuPage/Cook county line; DuPage/Cook county line west to Cook/DuPage/Kane county line; Kane/DuPage county line south to the Kane/Kendall county line; Kendall/Will county line south to Route 126."

14. In line 86, after "line" add "south to Route 71".
15. In line 88, after "county" add "to Route 83".
16. In line 89, change "Chicago city limits" to "northern Chicago city limits from Lake Michigan to the Park Ridge city limits (Park Ridge is in Region 9)".
17. In line 92, after "83" add "from the Wisconsin state line".
18. In line 99, after "Chicago city limits" add "(Niles is in Region 10)".
19. In line 100, after "Chicago" add "city limits".

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? The Department has made all the changes to which it agreed with the Joint Committee.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect? Yes

- 14) Are there any other Amendments Pending on this Part? No

- 15) Summary and Purpose of Rules: Public Act 89-0177 (Senate Bill 618), effective July 19, 1995, substantially revised the Emergency Medical Services (EMS) Systems Act. Section 3.15 of the revised Act requires the Department, beginning September 1, 1995, to designate EMS Regions within the State, consisting of specific geographic areas encompassing EMS Systems and trauma centers, in which emergency medical services, trauma services, and nonemergency medical services are coordinated under an EMS Region Plan.

- 16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito
Division of Governmental Affairs
Department of

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-6187.

The full text of the Adopted Rules begins on the next page:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED RULES

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER f: EMERGENCY SERVICES AND HIGHWAY SAFETY

PART 515

EMERGENCY MEDICAL SERVICES AND TRAUMA CENTER CODE

Section

515.200 Emergency Medical Services Regions

AUTHORITY: Implementing and authorized by the Emergency Medical Services (EMS) Systems Act [210 ILCS 50] (see Public Act 89-177, effective July 19, 1995).

SOURCE: Emergency rule adopted at 19 Ill. Reg. 13084, effective September 1, 1995, for a maximum of 150 days; adopted at 20 Ill. Reg. **3203**, effective **FEB 6 1996**.

Section 515.200 Emergency Medical Services Regions

Effective September 1, 1995, Emergency Medical Services Regions are designated as follows:

- a) Region 1 is the following counties:
Jo Daviess, Stephenson, Winnebago, Boone, Ogle, Lee, Carroll, Whiteside, DeKalb.
- b) Region 2 is the following counties:
Rock Island, Warren, Bureau, Putnam, LaSalle, Vermeer, Henry, Stark, Marshall, Livingston, Henderson, Knox, Peoria, Woodford, McDonough, Fulton, Tazewell, McLean.
- c) Region 3 is the following counties:
Hancock, Adams, Pike, Calhoun, Schuyler, Brown, Cass, Morgan, Scott, Greene, Jersey, Mason, Menard, Sangamon, Macoupin, Logan, Christian, Montgomery.
- d) Region 4 is the following counties:
Madison, St. Clair, Monroe, Randolph, Bond, Clinton, Washington.
- e) Region 5 is the following counties:
Perry, Jackson, Union, Alexander, Marion, Jefferson, Franklin, Williamson, Johnson, Pulaski, Wayne, Hamilton, Saline, Pope, Massac, Edwards, White, Gallatin, Hardin, Wabash.
- f) Region 6 is the following counties:
Ford, Iroquois, Dewitt, Platt, Champaign, Vermilion, Macon, Moultrie, Douglas, Edgar, Shelby, Coles, Cumberland, Clark, Fayette, Effingham, Jasper, Crawford, Clay, Richland, Lawrence.
- g) Region 7 boundary lines:
1) North - Illinois Route 71 east from the Kendall/LaSalle county line to Illinois Route 126; east on Illinois Route 126 to the Kendall/Will county line; north on the Kendall/Will county line to the Will/DuPage county line; the Will/DuPage county line east to Naperville Road; Naperville Road South to I55; I55 north to

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Route 83 (Illinois Route 83 is in Region 8); Illinois Route 83 south to junction with Illinois Route 171 (Archer Avenue) (Illinois Route 171 is in Region 8); Illinois Route 171 north to the city limits of Summit; north along the Summit city limits to the Chicago city limits (Summit is in Region 7); south along the Chicago city limits to the Indiana/Illinois State line.

- 2) South - Grundy/Livingston county line; Kankakee/Livingston, Kankakee/Ford, and Kankakee/Iroquois county lines.
- 3) East - Illinois Indiana state line for Cook, Will, and Kankakee counties.

- 4) West - Kendall/LaSalle county line from Route 71 south to Grundy/LaSalle county line; Grundy/LaSalle county line.
- a) Region 8 boundary lines:

- 1) North - DuPage/Cook county line east to O'Hare International Airport; O'Hare International Airport is in Region 11; along the south and east boundary of O'Hare International Airport north to the city limits of Rosemont (Rosemont is in Region 8) to the Chicago city limits. (Norridge and Harwood Heights are in Region 8. Schiller Park is in Region 9.)

- 2) South - Will DuPage county line from Kane county line east to Naperville Road, then south to Interstate 55; north on Interstate 55 to Illinois Route 83 (Illinois Route 83 is in Region 8); Illinois Route 83 south to junction with Illinois Route 171 (Archer Avenue) (Illinois Route 171 is in Region 8); Illinois Route 171 north to the city limits of Summit; north along the Summit city limits north to the Chicago city limits (Summit is in Region 7).

- 3) East - Chicago city limits.

- 4) West - DuPage Kane county line.

- a) Region 9 boundary lines:

- 1) North - Illinois/Wisconsin state line for McHenry County; Illinois Wisconsin state line for Lake County from Lake/McHenry county line east to Route 83.

- 2) South - Route 71 north from the LaSalle/Kendall county line to Route 126; Route 126 east to the Kendall/Will county line.

- 3) East - Route 83 south from the Illinois/Wisconsin border to Route 173; Route 173 west to Route 59; Route 59 south to Route 60; Route 60 east to Route 83; Route 83 south to the Lake/Cook county line; Lake/Cook county line east to Milwaukee Ave.; Milwaukee Ave. south to Des Plaines River Road; Des Plaines River Road south to Central Road; Central Road east to I 294; I 294 south to Dempster Street; Dempster Street east to the Niles city limits; along the Niles city limits south to the Chicago city limits (Niles is in Region 10); along the Chicago city limits south and west to the Rosemont city limits (Park Ridge is in Region 9 and Rosemont is in Region 8); along the northern boundary of O'Hare International Airport to the DuPage/Cook county line; DuPage/Cook county line west to Cook/DuPage/Kane county line; Kane/DuPage

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county line south to the Kane/Kendall county line; Kendall/Will county line south to Route 126.

- 4) West - McHenry/Boone and McHenry/Dekalb county lines; Dekalb/Kane county line; Dekalb/Kendall county line; LaSalle/Kendall county line South to Route 71.

j) Region 10 boundary lines:

- 1) North - Illinois/Wisconsin state line for Lake county to Route 83.
- 2) South - northern Chicago city limits from Lake Michigan to the Park Ridge city limits (Park Ridge is in Region 9).
- 3) East - Lake Michigan south from Illinois/Wisconsin state line to Chicago city limits.
- 4) West - Route 83 from the Wisconsin state line south to Route 173; Route 173 west to Route 59; Route 59 south to Route 60; Route 60 east to Route 83; Route 83 south to the Lake/Cook county line; Lake/Cook county line east to Milwaukee Ave.; Milwaukee Ave. south to Des Plaines River Road; Des Plaines River Road south to Central Road; Central Road east to I 294; I 294 south to Dempster Street; Dempster Street east to the Niles city limits; along the Niles city limits south to the Chicago city limits (Niles is in Region 10).

k) Region 11 is the City of Chicago city limits.

- 1) Hospitals may request a waiver of the boundary lines for inclusion in a different EMS Region by submitting a request for a waiver to the Department. The Department's decision to grant or deny a waiver request will be based on:

- 1) Normal transfer patterns; and
- 2) Location of the EMS System with which the hospital is affiliated.

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- 1) Heading of the Part: Food Service Sanitation Code
- 2) Code Citation: 77 Ill. Adm. Code 750
- 3) Section Numbers: Adopted Action:

750.5	Amendment
750.10	Amendment
750.110	Amendment
750.3100	Amendment
750.3300	New Section
- 4) Statutory Authority: Illinois Food Drug and Cosmetic Act (410 ILCS 620) Sanitary Food Preparation Act (240 ILCS 321) Food Handling Regulation Enforcement Act (410 ILCS 625)
- 5) Effective Date of Amendments: February 5, 1996
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this Rulemaking Contain any Incorporation by Reference? Yes
- 8) Date Filed in Agency's Principal Office: February 5, 1996
- 9) Date Notice of Proposed Rulemaking was Published in the Illinois Register: 19 Ill. Reg. 13498 - 9/29/95
- 10) Has the Joint Committee on Administrative Rules Issued a Statement of Objection to this Rulemaking? No
- 11) Difference Between Proposal and Final Version:
 1. In Section 750.10 Definitions, add

"Curing" means the placing of approved ingredients in or on edible flesh of approved ingredients, such as a solution or mixture containing chloride and nitrite salts of sodium or potassium, water, sodium erythorbate or ascorbate, sodium phosphates, sweeteners (dextrose and cane sugar) and flavorings.
 2. In Section 750.10 Definitions, add "'Field dressed' means the removal of the visceral organs of an animal following the animal's death in the field."
 3. In Section 750.10 Definitions, amend "Game animal" by adding "swine," after "sheep." Further amend "Game animal" by adding "as meat in the Illinois Meat and Poultry Act (225 ILCS 650);" after "inspection regulations;" and by adding "wild and not domestically raised" after

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"Game animal includes".

4. In Section 750.110 Definitions, add "'Special event' means a unique event at a particular location, such as a celebration, festival or fund raiser, that occurs no more than twice a year".
5. In Section 750.110 (d)(2)(A) Special Requirements, add "professional biologist or other person familiar with the conditions, parasites and diseases of the species," after "veterinarian's designee".
6. In Section 750.3300 (g)(5) Curing of Meat and Poultry, add ", using only pre-measured and weighed packets," after "to be used".

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee? All changes agreed upon by the Department and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee.

13) Will the Rulemaking Replace an Emergency Rule Currently in Effect? No

14) Are there any other Amendments Pending on this Part? No

15) Summary and Purpose of Amendments: Ever since the Good Samaritan Food Donor Act was amended, effective January 1, 1993, to provide immunity from liability for donors of wild game, the Department has received numerous requests for clarification in the Food Service Sanitation Code of the issue of the use of uninspected wild game. This rulemaking clarifies the discrepancy between Section 750.110(d), which requires all meat of mammalian and avian origin to be inspected, and Section 3(a-5) of the Good Samaritan Food Donor Act, which allows uninspected wild game to be served at special events such as wild game dinners, provided a placard is present stating that the game is uninspected. The rulemaking also adds several definitions for terms that are used in the rules, including "game animal", "special event", "field-dressed", and curing".

Another issue that is addressed in this rulemaking, on which the Department has received requests from retail stores and outlets, is for the criteria for curing of meat and poultry from the FDA's 1993 Food Code to be incorporated into Illinois' rules. Section 750.3100(e) currently prohibits the use of preservatives as an allowable seasoning in retail food stores. The amendments require retail food stores that want to begin using preservatives in curing operations to obtain prior approval from the local health department in their jurisdiction, with final approval from the Department. The curing operations must be based on a comprehensive Hazard Analysis Critical Control Point (HACCP) plan, as outlined in the proposed amendments.

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16) Information and Questions Regarding these Adopted Amendments shall be directed to:

Gail M. Devito
Administrative Rules Coordinator
Division of Governmental Affairs
535 West Jefferson
Springfield, Illinois 62761
(217)782-6187

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 750

FOOD SERVICE SANITATION CODE

SUBPART A: GENERAL PROVISIONS

Section

750.5 Incorporated Materials
750.10 Definitions
750.20 Inspections and Inspection Report

SUBPART B: FOOD SUPPLIES

Section

750.100 General
750.110 Special Requirements
750.120 General - Food Protection
750.130 General - Food Storage
750.140 Refrigerated Storage
750.150 Hot Storage
750.155 Damaged Food Containers
750.160 General - Food Preparation
750.170 Raw Fruits and Raw Vegetables
750.180 Cooking Potentially Hazardous Foods
750.185 Minimum Food Temperature and Holding Time Required Under Section 750.180(a)(2) for Cooking All Parts of Pork and Game Animals, Comminuted Fish and Meats, and Injected Meats
750.186 Oven Parameters Required for Destruction of Pathogens on the Surface of Roasts of Beef and Corned Beef
750.187 Minimum Holding Times Required at Specified Temperatures for Cooking All Parts of Roasts of Beef and Corned Beef
750.189 Microwave Cooking
750.190 Dry Milk and Dry Milk Products
750.200 Liquid, Frozen, Dry Eggs and Egg Products
750.210 Reheating
750.220 Nondairy Products
750.230 Product Thermometers
750.240 Thawing Potentially Hazardous Foods
750.250 Food Display and Service of Potentially Hazardous Food
750.260 Display Equipment
750.270 Reuse of Tableware
750.280 Dispensing Utensils
750.290 Ice Dispensing
750.300 Condiment Dispensing
750.310 Milk and Cream Dispensing

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Re-Service
General - Food Transportation

SUBPART C: PERSONNEL

Section

750.500 General - Employee Health
750.510 General - Personal Cleanliness
750.520 General - Clothing
750.530 General - Employee Practices
750.540 Management Sanitation Training and Certification
750.550 Management Sanitation Certification Examination (Repealed)
750.551 Certificate Issuance
750.560 Certificate Revocation or Suspension

SUBPART D: EQUIPMENT AND UTENSILS

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750.600 General - Materials
750.610 Solder
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750.630 Plastics
750.640 Mollusk and Crustacea Shells
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750.660 Accessibility
750.670 In-Place Cleaning
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750.690 Non-Food-Contact Surfaces
750.700 Ventilation Hoods
750.710 General - Equipment Installation and Location
750.720 Table-Mounted Equipment
750.730 Portable Equipment
750.740 Floor-Mounted Equipment
750.750 Aisles and Working Spaces

SUBPART E: CLEANING, SANITIZING, AND STORAGE OF EQUIPMENT AND UTENSILS

Section

750.800 Cleaning Frequency
750.810 Wiping Cloth
750.820 Manual Cleaning and Sanitizing
750.830 Mechanical Cleaning and Sanitizing
750.840 Drying
750.850 Equipment, Utensil, and Tableware Handling
750.860 Equipment, Utensil, and Tableware Storage
750.870 Pre-Set Tableware
750.880 Single-Service Articles

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750.890 Prohibited Storage Area

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750.1000	General - Water Supply
750.1010	Transportation
750.1020	Bottled Water
750.1030	Water Under Pressure
750.1040	Steam
750.1050	General - Sewage Disposal
750.1060	General - Plumbing
750.1070	Nonpotable System
750.1080	Backflow
750.1090	Grease Traps
750.1100	Drains
750.1110	General - Toilet Facilities
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750.1130	Containers - Garbage and Refuse
750.1140	Garbage and Refuse Storage
750.1150	Disposal of Garbage and Rubbish
750.1160	General - Insect and Rodent Control
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SUBPART G: CONSTRUCTION AND MAINTENANCE OF PHYSICAL FACILITIES

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750.1200	General - Floors
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750.1260	Special Ventilation
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750.1280	Lockers
750.1290	Poisonous or Toxic Materials Permitted
750.1300	Labeling of Poisonous or Toxic Materials
750.1310	Storage of Poisonous or Toxic Materials
750.1320	Use of Poisonous or Toxic Materials
750.1330	Personal Medications
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750.1400 Animals

SUBPART H: MOBILE FOOD SERVICE

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750.1500	General - Mobile Food Units
750.1510	Restricted Operation
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Section	
750.1600	General - Temporary Food Service Establishments
750.1610	Restricted Operations
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SUBPART J: FOOD SERVICE SANITATION MANAGER CERTIFICATION

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750.1800	General
750.1810	Instructor Approval
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750.1840	Reciprocity
750.1850	Certification Examination
750.1855	Testing Criteria
750.1860	Examination Notification
750.1861	Class Enrollment Form
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750.1868 Cheating
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SUBPART K: REDUCED OXYGEN PACKAGING

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 750.2000 General
 750.2010 Acceptable Products
 750.2020 Employee Training
 750.2030 Refrigeration Requirements
 750.2031 Labeling - Refrigeration Statements
 750.2032 Labeling - "Use By" Dates
 750.2040 Safety Barriers
 750.2041 Fish and Fishery Products
 750.2042 Safety Barrier Verification
 750.2050 Hazard Analysis Critical Control Point (HACCP) Program
 750.2060 Precautions Against Contamination
 750.2070 Disposition of Expired Product
 750.2080 Dedicated Area, Restricted Access

SUBPART L: MEAT/POULTRY PROCESSING AND LABELING

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 750.3000 Exceptions
 750.3100 Meat and Poultry Labeling
 750.3200 Smoked Meat, Poultry and Other Food Products
 750.3300 Curing of Meat and Poultry

APPENDIX A Retail Food Sanitary Inspection Report
 APPENDIX B Examination Date Notification Form
 APPENDIX C Class Enrollment Form
 APPENDIX D Permission to Retake Certification Examination Form
 APPENDIX E Monitor's Agreement Form

AUTHORITY: Implementing the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] and the Sanitary Food Preparation Act [410 ILCS 650] and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act [410 ILCS 620/21] and Section 11.1 of the Sanitary Food Preparation Act [410 ILCS 650/11.1] and the Food Handling Regulation Enforcement Act [410 ILCS 625].

SOURCE: Adopted December 23, 1975; amended at 2 Ill. Reg. 19, p. 180, effective May 13, 1978; old rules repealed, new rules adopted and codified at 7 Ill. Reg. 1336, effective January 25, 1983; amended at 7 Ill. Reg. 16415, effective November 23, 1983; amended at 11 Ill. Reg. 2345, effective February

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1, 1987; amended at 11 Ill. Reg. 18735, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 14380, effective September 2, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17918, effective December 1, 1988; amended at 13 Ill. Reg. 1819, effective January 30, 1989; amended at 13 Ill. Reg. 18888, effective December 1, 1989; amended at 14 Ill. Reg. 19975, effective January 1, 1991; amended at 14 Ill. Reg. 20535, effective January 1, 1991; amended at 16 Ill. Reg. 15995, effective October 1, 1992; amended at 17 Ill. Reg. 18588, effective October 15, 1993; amended at 20 Ill. Reg. 2171, effective January 20, 1996; amended at 20 Ill. Reg. 3210, effective FEB 5 1996.

SUBPART A: GENERAL PROVISIONS

Section 750.5 Incorporated Materials

The following materials are incorporated or referenced in this Part:

- a) Salvage Warehouses and Stores for Foods, Alcoholic Liquors, Drugs, Medical Devices and Cosmetics (77 Ill. Adm. Code 725).
- b) The Illinois Plumbing Code (77 Ill. Adm. Code 890).
- c) Drinking Water Systems Code (77 Ill. Adm. Code 900).
- d) Official Methods of Analysis of the Association of Official Analytical Chemists, 15th Edition, published by the Association of Official Analytical Chemists (1990), 111 North Nineteenth Street, Suite 210, Arlington, Virginia 22209.
- e) Standard Methods for the Examination of Dairy Products, 15th Edition, published by the American Public Health Association (1989), 1015 Fifteenth Street, N.W., Washington, D.C. 20036.

- f) Code of Federal Regulations, published by the Office of the Federal Register, National Archives and Records Administration (1995), U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, D.C. 20402-9328

1) 9 CFR 1 (Animals and Animal Products; Animal Welfare, Definition of Terms);

2) 9 CFR 301 (Animals and Animal Products; Mandatory Meat Inspection, Definitions);

3) 9 CFR 318 (Animals and Animal Products; Mandatory Meat Inspection, Entry into official establishments; reinspection and preparation of products); and

4) 9 CFR 381 (Animals and Animal Products; Mandatory Poultry Products Inspection, Poultry products inspection regulations).

(Source: Amended at 20 Ill. Reg. 3210, effective FEB 5 1996)

Section 750.10 Definitions

The following definitions shall apply in the interpretation and the enforcement of this Part:

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"Acceptable product list" means a list of foods, acceptable to the regulatory authority, which because of their characteristics will present a barrier to the growth of *Clostridium botulinum*.

"Barrier" means a safety factor of a physical, biological, or chemical nature which inhibits or minimizes the growth of microorganisms including those which may be infectious or toxigenic.

"Beef pattie mix" (or "Beef Patties" if in pattie form) means chopped beef with or without the addition of beef fat as such and/or seasonings.

"Certified food service manager or supervisor" means a person certified in compliance with Section 750.540.

"Cold smoke process" is a smoking process used to apply smoke or a smoke flavor at or below ambient temperature to food products not sufficiently darkened in the original smoking operation.

"Commercially prepared sweet baked goods" means an individually portioned and wrapped, non-potentially hazardous yeast or cake type bread, bun, croissant or roll with or without filling and/or icing.

"Comminuted" means reduced in size by methods including chopping, flaking, grinding or mincing. It includes fish or meat products that are reduced in size and restructured or reformulated, such as gefilte fish, formed roast beef, gyros, ground beef, and sausage; and a mixture of 2 or more types of meat that have been reduced in size and combined, such as sausages made from 2 or more meats.

"Commissary" means a catering establishment, restaurant, or any other place in which food, containers, or supplies are kept, handled, prepared, packaged or stored.

"Controlled atmosphere packaging (CAP)" means an active packaging system which continuously maintains the desired atmosphere within the package throughout the shelf-life of the product. CAP uses an agent to bind or "scavenge" oxygen permeating the package, or a sachet to emit a gas.

"Cook-chill processing" means a process in which a plastic bag is filled with hot cooked food and the air is expelled while the bag is being sealed before being blast or tumble chilled.

"Corrosion-resistant materials" means those materials that maintain their original surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and bactericidal solutions, and other conditions-of-use environment.

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"Critical control point" means any point or procedure in a specific food processing or packaging operation where loss of control may result in an unacceptable health risk.

"Curing" means the placing in or on edible flesh of approved ingredients, such as a solution or mixture containing chloride and nitrite salts of sodium or potassium, water, sodium erythorbate or ascorbate, sodium phosphates, sweeteners (dextrose and cane sugar) and flavorings.

"Dedicated equipment or personnel" means equipment or personnel reserved solely for the use of one food processing operation to prevent cross-contamination.

"Department" means the Illinois Department of Public Health.

"Easily cleanable" means that surfaces are readily accessible and made of such material and finish and so fabricated that residue may be effectively removed by normal cleaning methods.

"Employee" means individuals having supervisory or management duties, and any other person working in a food service establishment.

"Equipment" means stoves, ovens, ranges, hoods, slicers, mixers, meat blocks, tables, counters, refrigerators, sinks, dishwashing machines, steam tables, and similar items other than utensils, used in the operation of a food service establishment.

"Extensively remodeled" means whenever an existing structure is converted for use as a retail food establishment; any structural additions or alterations to existing establishments; changes, modifications and extensions of plumbing systems, excluding routine maintenance.

"Field dressed" means the removal of the visceral organs of an animal following the animal's death in the field.

"Food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

"Food contact surface" means those surfaces of equipment and utensils with which food normally comes in contact, and those surfaces from which food may drain, drip, or splash back to surfaces normally in contact with food.

"Food employee" means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces.

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"Food processing establishment" means a commercial establishment in which food is manufactured or packaged for human consumption. The term does not include a food service establishment, retail food store, or commissary operation.

"Food service establishment" means any place where food is prepared and intended for, though not limited to, individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term also includes delicatessen type operations that prepare foods intended for individual portion service. The term does not include lodging facilities serving only a continental breakfast, (a continental breakfast is one limited to only coffee, tea, and/or juice and commercially prepared sweet baked goods), private homes or a closed family function where food is prepared or served for individual family consumption, retail food stores or the location of food vending machines.

"Full time" means 30 hours per week or the length of time the facility is in operation, whichever is less.

"Game animal" means an animal, the products of which are food, that is not classified as cattle, sheep, swine, or goat in 9 CFR 301 (Mandatory Meat Inspection, Definitions); as poultry in 9 CFR 381 (Mandatory Poultry Products Inspection, Poultry products inspection regulations); as meat in the Illinois Meat and Poultry Act [225 ILCS 650]; or as fish. Game animal includes wild and not domestically raised animals such as reindeer, elk, deer, antelope, water buffalo, bison, rabbit, squirrel, bear, and muskrat; aquatic and nonaquatic birds such as wild ducks and geese, quail, and pheasant; nonaquatic reptiles such as rattlesnakes; and aquatic mammals. It also includes exotic animals as defined in 9 CFR 1 (Animal Welfare, Definition of Terms), such as lion, tiger, leopard, elephant, camel, antelope, anteater, kangaroo and water buffalo, and species of foreign domestic cattle, such as Ankole, Gaval and Yak.

"Ground beef" means chopped or ground beef with or without seasoning and without the addition of beef fat and shall not contain more than 30 percent fat.

"Hamburger" means chopped beef with or without the addition of beef fat and/or seasoning and shall not contain more than 30 percent fat.

"Hazard Analysis Critical Control Point (HACCP) Program" means a comprehensive food safety control plan which includes a step-by-step description of the food processing, packaging and storage procedure including identification of critical control points (CCPs); the food

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contact surface cleaning and sanitizing procedures; lot identification procedure; and training procedures.

"Hermetically sealed container" means a container designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its content after processing.

"Injected" means manipulating a meat so that infectious or toxigenic microorganisms may be introduced from its surface to its interior through tenderizing with deep penetration or injecting the meat, such as with juices, which may be referred to as injecting, pinning or stitch pumping.

"Kitchenware" means all multi-use utensils other than tableware.

"Law" includes State and local statutes, ordinances, and regulations.

"Lodging facilities" means any hotel, motel, motor inn, lodge, inn or other quarters which provides temporary sleeping facilities open to the public.

"Lot" means unique run of processed or packaged product with a specifically designated date and processing operation.

"Mobile food unit" means a vehicle-mounted food service establishment designed to be readily movable.

"Modified Atmosphere Packaging (MAP)" means a one-time gas-flushing and sealing process. The gas atmosphere within the package after sealing is then allowed to passively change due to factors of container permeability and food product respiration.

"Official Methods of Analysis" means the Official Methods of Analysis of the Association of Official Analytical Chemists, 15th Edition, or Standard Methods for Examination of Dairy Products, 15th Edition, as incorporated in Section 750.5 (d) and (e).

"Operational Supervision" means the on-site supervision and management of the food service facility, operations, and employees.

"Packaged" means bottled, canned, cartoned, or securely wrapped.

"Partially defatted beef fatty tissue" means a beef by-product derived from the low temperature rendering (not exceeding 120 degrees Fahrenheit) of fresh beef tissue. Such product shall have a pinkish color and a fresh odor and appearance.

"Person" includes any individual, partnership, corporation,

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association, or other legal entity.

"Person in charge" means the individual present in a food service establishment who is the apparent supervisor of the food service establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

"Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods which have a pH level of 4.6 or below or a water activity (a_w) value of 0.85 or less.

"Preservative" means any curing agent or curing accelerator (specific chemical agent which extends the shelf life of the product) which cures, accelerates color fixing or preserves color in meat or poultry products including sodium or potassium nitrate, sodium or potassium nitrite, ascorbic acid, erythorbic acid, glutamic delta lactone, sodium ascorbate, sodium erythorbate, citric acid, sodium citrate or sodium benzoate.

"Processing" means to manufacture, compound, intermix or prepare food products for sale or for customer service.

"Pushcart" means a non-self-propelled vehicle limited to serving nonpotentially hazardous foods or commissary-wrapped food maintained at proper temperatures, or limited to the preparation and serving of frankfurters.

"Ready-to-eat food" means food that is in a form that is edible without washing, cooking, or additional preparation by the food establishment or the consumer and that is reasonably expected to be consumed in that form. Ready-to-eat food includes:

Unpackaged potentially hazardous food that is cooked to the temperature and time required for specific food under Section 750.180;

Raw, washed, cut fruit and vegetables;

Whole raw fruits and vegetables that are intended for consumption without the need for further washing, such as at a buffet, but excludes whole raw fruits and vegetables offered for retail sale; and

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Other food presented for consumption for which further washing or cooking is not required and from which rinds, peels, husks, or shells are removed.

"Reconstituted" means dehydrated food products recombined with water or other liquids.

"Regulatory authority" means the State and/or local enforcement authority or authorities having jurisdiction over the food service establishment.

"Safe materials" means articles manufactured from or composed of materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food. If materials used are food additives or color additives as defined in section 201(s) or (t) of the Federal Food, Drug, and Cosmetic Act, (21 U.S.C. 301 et seq.), they are "safe" only if they are used in conformity with regulations established pursuant to Section 409 or Section 706 of the Act. Other materials are "safe" only if, as used, they are not food additives or color additives as defined in section 201(s) or (t) of the Federal Food, Drug, and Cosmetic Act and are used in conformity with all applicable regulations of the Food and Drug Administration.

"Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level (when those disease organisms which may be present are destroyed so as to prevent transfer) on cleaned food-contact surfaces of utensils and equipment.

"Sealed" means free of cracks or other openings that permit the entry or passage of moisture.

"Showering" means a potable water spray with or without liquid smoke in the smoke house which, depending on when the water spray is applied, maintains humidity, flavors, decreases cooking time, promotes rapid cooling or reduces casing shrinkage.

"Single service articles" means cups, containers, lids, closures, plates, knives, forks, spoons, stirrers, paddles, straws, napkins, wrapping materials, toothpicks, and similar articles intended for one-time, one-person use and then discarded.

"Smoke generator" means a piece of equipment attached or integral to a smoke house which provides smoke to the smoke house, usually by slowly augering sawdust onto a heating element with the resulting smoke being drawn into the smokehouse.

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"Smoke house" means a piece of equipment or room sized enclosure used to conduct the smoking process with a smoke source, adequate ventilation, heat and humidity source if necessary, approved plumbing and waste lines if necessary, support structures for the food products to be smoked and a method to determine internal product temperature.

"Smoking" means the process of subjecting meat cuts and other foods to an environment of heat and smoke generated from hardwood, hardwood sawdust, corn cobs or natural liquid smoke that has been transformed into a gaseous state by application of direct heat.

"Special event" means a unique event at a particular location such as a celebration, festival or fundraiser that occurs no more than twice a year.

"Tableware" means multi-use eating and drinking utensils.

"Temporary food service establishment" means food service establishment that operates at a fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration.

"Utensil" means any implement used in the storage, preparation, transportation, or service of food.

"Voluntary inspection" means an inspection of meat or poultry products that are not subject to the federal or State meat or poultry inspection laws, and for which the federal or State mark of inspection is requested.

(Source: Amended at 20 Ill. Reg. **3210**, effective **FEB 5 1996**)

SUBPART B: FOOD SUPPLIES

Section 750.110 Special Requirements

- a) Fluid milk and fluid-milk products used or served shall be pasteurized and shall meet the Grade A quality standards as established by law. Dry milk and dry-milk products shall be pasteurized.
- b) Fresh and frozen shucked shellfish (oysters, clams, or mussels) shall be packed in nonreturnable packages identified with the name and address of the original shell stock processor, shucker/packer, or repacker, and the interstate certification number issued according to the law. Shell stock and shucked shellfish shall be kept in the container in which they were received until they are used. Each container of unshucked shell stock (oysters, clams, or mussels) shall be identified by the attached tag that states the name and address of

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the original shell stock processor, the repacker or reshipper, the kind and quantity of shell stock, and an interstate certification number issued by the state or foreign shellfish control agency. Each tag affixed to a container of certified shell stock along with its accompanying invoice and each shucked shellfish invoice shall be retained for a period of 90 days and be made available for inspection by the health department.

- c) Only clean whole Grade A eggs, with shell intact and without cracks or checks, or pasteurized liquid, frozen, or dry eggs or pasteurized dry egg products shall be used, except that hard boiled peeled eggs, commercially prepared and packaged may be used.

d) ~~All meat of mammalian and avian origin shall be inspected and approved as human food by the Illinois Department of Agriculture or the United States Department of Agriculture and shall be inspected and approved by the aforementioned department.~~

- d) Game animals received for sale or service must comply with the criteria specified below.

- 1) Game animals commercially farm-raised for food shall be raised, slaughtered, and processed under either a routine or voluntary inspection program, as provided below.

- A) For a routine (mandatory) inspection program conducted by the United States Department of Agriculture or Illinois Department of Agriculture, the game animals shall be raised, slaughtered and processed according to applicable laws governing meat and poultry.

- B) Any voluntary inspection program shall be conducted by the agency that has animal health jurisdiction (the United States Department of Agriculture, Illinois Department of Agriculture or other regulatory agency).

- 2) Field dressed wild game animals donated under the Good Samaritan Food Donor Act (745 ILCS 50) shall:

- A) Receive a postmortem inspection by a veterinarian, veterinarian's designee, professional biologist or other person familiar with the conditions, parasites and diseases of the species, approved by the regulatory agency that has animal health jurisdiction;

- B) Have been field dressed and transported according to requirements specified by the regulatory agency that has animal health jurisdiction; and
- C) Be processed according to laws governing meat and poultry as determined by the regulatory agency that has animal health jurisdiction and conducts the inspection program.

- 3) Exotic species of animals, including animals raised for exhibition purposes in a zoo or circus, used for food shall:

- A) Be raised, slaughtered and processed under a voluntary or mandatory inspection program; or
- B) i) Receive ante-mortem and post-mortem examination; and
ii) Be slaughtered and processed according to laws

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governing meat and poultry as determined by the regulatory agency that has animal health jurisdiction and conducts the inspection program.

e) Uninspected, field dressed, wild game served at special events such as wild game dinners shall:

- 1) Have placards displayed in a conspicuous location throughout the event identifying the food served as uninspected wild game as provided for in the Good Samaritan Food Donor Act [745 ILCS 50].
- 2) Comply with all other food sanitation requirements specified in this Part.
- 3) Not be served at institutions and facilities such as nursing homes and hospitals that primarily serve highly susceptible individuals.

f) Each retail food establishment location shall obtain written permission from the appropriate regulatory authority responsible for retail food protection in that jurisdiction before packaging foods in a reduced oxygen atmosphere. Reduced oxygen packaging shall consist of cook-chill processing, vacuum-packaging, modified atmosphere packaging (MAP) or controlled atmosphere packaging (CAP). The request from the retail establishment and approval from the regulator shall be product specific and shall be issued according to the requirements listed in Subpart K of this Part.

g) Every food pre-packaged in advance of retail sale must bear the following information in English on its label:

- 1) The common and/or usual name of the product;
- 2) The name, address and zip code of the manufacturer, processor, packer, preparer or distributor;
- 3) The net contents of the package;
- 4) A list of ingredients in the order of their predominance by weight with ingredients shown by their common or usual name; and
- 5) A list of any artificial color, artificial flavor or preservative used.

h) Foods packaged or repackaged by charitable or not-for-profit organizations for distribution to people in need shall bear the common and/or usual name of the product and the name of the distributing organization. A list of ingredients for any multi-ingredient product shall be posted or made available upon request. Prepared, ready-to-eat foods donated by food service establishments to charitable or not-for-profit organizations are exempt from the ingredient listing requirements of this subsection.

i) The processing and labeling of ground meats/poultry and other meat/poultry products shall be done in compliance with Subpart L of this Part.

j) Pasteurized soft serve mix and frozen desserts shall comply with the Standards listed below.

Product	Bacterial standard plate count not	Coliform determination	Storage temperature
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more than not more than

Mix	50,000/ml*	10/ml	41° F
Frozen Dessert Plain	50,000/ml*	10/ml	Frozen
Frozen Dessert Flavored	50,000/ml*	20/ml	Frozen

The products shall be tested in accordance with tests and examinations contained in the 15th edition of Official Methods of Analysis of the Association of Official Analytical Chemists or in the 15th edition of Standard Methods for the Examination of Dairy Products.

*Except frozen yogurt with live culture added.

k) Consumer Advisory. Effective July 1, 1996, if a food service establishment offers any raw or under-cooked animal food, such as meat, poultry, eggs or seafood (including shellfish), in ready-to-eat form or offers any ready-to-eat food containing animal food as a raw ingredient, the food service establishment operator shall advise consumers of the presence of such raw or under-cooked animal food and advise consumers of the increased health risk of eating such foods in raw or under-cooked form, especially for certain populations.

1) If entrees or menu items containing such raw or under-cooked animal food (e.g., steak tartare or Caesar salad containing raw unpasteurized eggs) are routinely offered, such consumer advisory shall clearly identify the food item that contains the raw or under-cooked animal food.

2) If a food service establishment does not routinely offer entrees or menu items containing raw or under-cooked animal food, but will serve under-cooked meat, eggs or seafood upon the request of a consumer/patron, a general consumer advisory shall be provided. This advisory does not need to identify the food item that a consumer might request in an under-cooked condition.

3) The required consumer advisory may be in the form of a brochure, deli case or menu advisory, label statement, table tent, placard or other written notification that is visible to patrons. The advisory shall include the following:

"The Illinois Department of Public Health advises that eating raw or under-cooked meat, poultry, eggs or seafood poses a health risk to everyone, but especially to the elderly, young children under age 4, pregnant women, and other highly susceptible individuals with compromised immune systems. Thorough cooking of such animal foods reduces the risk of illness."

4) If space permits, any consumer advisory may include additional language such as the following:

"For further information, contact your physician or public health department."

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BEEF PATTIE MIX
70% Beef
Ingredients: Beef, water
non-meat protein extenders

- e) "Seasoning" permitted in ground or chopped beef or hamburger or poultry may include salt, natural sweeteners, spices, flavoring, including essential oils, oleoresins and other spice extractives, monosodium glutamate, hydrolyzed vegetable protein and similar flavorings when used in condimental proportions. Seasoning does not include ~~preservatives~~ coloring, sulfites or color enhancers.
- f) The requirements which apply to ground beef shall also apply to veal, lamb, pork or poultry if offered in the chopped or ground form. If these ground meats are merchandised as a combination package, each component must be indicated on the label. A sample label for beef, lamb, pork and poultry would be:

Ground Beef	Beef
Ground Lamb	Lamb
Ground Pork	Pork
Ground Turkey	Turkey
Ground Veal	Veal

- g) Fanciful or characterizing names of ground meats or poultry are permitted, but only if they do not obscure or replace the approved name. The fanciful or characterizing name may be placed on the regular price-weight label or on a separate label but the approved identification must appear conspicuously and unobscured.
- h) No grade designation may be used for ground meat or poultry. After trimming and grinding, meat loses its grade identification and therefore does not have a grade in the ground form.
- i) "Previously Frozen" must be labeled on the package, container or wrapping, in type of uniform size and prominence so as to be readable and understood by the general public if a meat or meat food product or poultry or poultry food product has been frozen prior to sale.
- j) Meat, poultry, game birds or game animals smoked or processed as a service to the customer shall be marked with the customer's name and labeled "not for sale."

(Source: Amended at 20 Ill. Reg. _____, effective _____)
FEB 5 1996

3210

Section 750.3300 Curing of Meat and Poultry

- a) No food service establishment shall cure meat and/or poultry on the premises of the food service establishment without written approval from the Department or its designee.
- b) Any food service establishment desiring to conduct curing operations

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- 5) NOTE: Food service establishments whose primary consumers are highly susceptible individuals, such as nursing homes, hospitals, day care centers and nursery schools, shall not serve raw or under-cooked animal foods (see Section 750.180(b)).

(Source: Amended at 20 Ill. Reg. **3210**, effective **FEB 5 1996**)

SUBPART L: Meat/Poultry Processing and Labeling

Section 750.3100 Meat and Poultry Labeling

Every package of meat or poultry or meat or poultry product shall comply with all labeling requirements of Section 750.110(g) of this Part.

- a) All ground beef is to be labeled "Ground Beef", "Chopped Beef" or "Hamburger." When beef cheek meat (trimmed beef cheeks) is used in the preparation of chopped beef, ground beef or hamburger, the amount of such cheek meat shall be limited to 25 percent and its presence shall be declared on the label, either contiguous to the name of the product or in the ingredient statement.
- b) It is not necessary to indicate the lean-to-fat content. However, if it is shown, the label must indicate "Not Less than % Lean," or "Not More Than % Fat." An example would be:
- | |
|------------------------|
| GROUND BEEF |
| Not Less Than 75% Lean |
| or |
| Not More Than 25% Fat |
- c) An added descriptive name may be used where the ground beef is prepared from a specific beef cut such as the chuck, round, sirloin, etc. An example would be:
- | |
|------------------------|
| GROUND BEEF CHUCK |
| or |
| GROUND BEEF CHUCK |
| Not Less Than 75% Lean |
- d) The label of a prepackaged product which conforms to the definition of "Beef Pattie Mix", as prescribed in Section 750.10, shall declare, in addition to the name of the product, the percentage by weight of beef contained in the product, and the common or usual name of each ingredient in decreasing order of its predominance. Binders or extenders and/or partially defatted beef fatty tissue may be used without added water or with added water only in amounts such that the product characteristics are essentially that of a meat patty. If displayed in bulk, a placard must be exhibited to identify the product in accordance with this rule. A sample label or placard would be:

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on the premises shall submit a written application to the appropriate local health department for review. The application shall include all information required in this Section and shall be product specific. The local health department will perform a preliminary review of the application. The local health department shall forward the application and its recommendation regarding the application, along with any comments, to the Department for final approval. The Department may, upon request of a local health department, enter into an agreement with the local health department to allow the local health department to grant final approval for meat and poultry curing operations within its jurisdiction. Prior to commencing curing operations, the local health department shall perform an on-site inspection of the food service establishment to ensure that the curing operations conform to the approved HACCP plan. Where no local health department exists, the Department will accept and review HACCP plans and will conduct on-site inspections of the facility.

c) A list of acceptable products approved for curing within the food service establishment must be available in the processing area of the establishment.

d) Employees assigned to cure meat or poultry must complete a training course developed by the food service establishment and demonstrate familiarity with this Section and the potential hazards associated with the curing of foods. A description of the training course content provided to the employees must be included in the application and available for review by the local health department.

e) An approved HACCP plan is required for all curing operations. The following criteria must be met for the curing of meat and poultry in the establishment. All critical control points must be addressed including purchase of prepared cure mixes; use of calibrated and certified weighing devices if cure mixes are blended on the premises instead of pre-mixed blends; storage of cure ingredients in a dry, protected location; and discarding of any packet if it becomes wet.

f) Raw material handling must be considered when thawing to prevent temperature abuse. Improperly thawed meat can cause insufficient cure penetration. Temperature abuse can cause spoilage or growth of pathogens. Curing may not be used to salvage meat that has excessive bacterial growth or spoilage.

g) Formulation, Preparation and Curing:

- 1) A formulation and preparation procedure must be documented;
- 2) All equipment and utensils must be cleaned and sanitized;
- 3) Pieces of meat or poultry must be prepared to uniform size to assure uniform cure penetration (this is extremely critical for dry and immersion curing);
- 4) Calibrated and certified scales with decals affixed indicating that the scales have been calibrated and certified by the Department of Agriculture, or one of their registered service companies, must be used to weigh ingredients;
- 5) A schedule or recipe must be established for determining the

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exact amount of curing formulation to be used, using only pre-measured and weighed packets, for a specified weight of meat or meat mixture;

6) Methods and procedures must be strictly controlled to ensure uniform cure;

7) Mixing of curing formulation with comminuted ingredients must be controlled and monitored (See 9 CFR 318 and 381);

9) All surfaces of meat or poultry must be rotated and rubbed at intervals of sufficient frequency to assure cure penetration when a dry curing method is used;

9) Immersion curing requires periodic mixing of the batch to facilitate uniform curing;

10) The application of salt during dry curing of muscle cuts requires that the temperature of the product be strictly controlled between 35° F. and 41° F. The lower temperature is set for the purpose of assuring cure penetration and the upper temperature is set to limit microbial growth (See 9 CFR 318.10(c)(3)(iv));

11) Curing solutions must be discarded daily unless they remain with the same batch of product during its entire curing process;

12) Injection needles must be inspected for plugging when stitch purge or artery purging of muscle cuts is performed;

13) Sanitary casings must be provided for sausage, chub or loaf forming; and

14) Casings may not be stripped for reuse in forming additional chubs or sausages from batch to batch.

e) Cooking and smoking shall be done according to Section 750.130, Cooking Potentially Hazardous Foods, or Section 750.1200, Smoked Meat, Poultry or Other Food Products (See also 9 CFR 318.17 and 318.23).

1) Cooling:

1) Cooling shall be done according to Section 760.150(c)(1)(A) and (B), with written cooling procedures established;

2) Chill water used in water sprays or immersion chilling which is in direct contact with products in casings or products cooked in an impervious package must be properly chlorinated;

3) Chill water temperature must be monitored and recorded;

4) Chill water may not be reused until properly chlorinated. Recycled chill water must be discarded daily.

5) Product must be placed in a manner that allows chilled water or air to uniformly contact the product for assurance of uniform cooling;

6) Internal temperatures must be monitored during cooling by using calibrated temperature measuring device;

7) Adequate cooling medium circulation must be maintained and monitored;

8) Temperatures of the cooling medium must be monitored and recorded in accordance with a written procedure;

9) Direct hand contact with product during cooling, peeling of casing and packaging is prohibited.

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1) Fermentation and Drying:

- 1) Fermentation and drying must be done in conjunction with a cooking or smoking step in accordance with subsection (g) of this Section and 3 CFR 318.10(c)(3).
- 2) Temperature and time must be controlled during fermentation or drying and record logs that record the monitoring of this process must be maintained.
- 3) Humidity must be controlled during fermentation or drying by use of a humidistat. Monitoring of the process must be recorded in a written log.
- 4) The product must be kept separated during fermentation and drying to allow adequate air circulation during the process.
- 5) The use of an active and pure culture must be assured to effect a rapid pH drop of the product. Use of commercial-y produced culture is necessary and the culture must be used according to the manufacturer's instructions.
- 6) Determination of the pH of fermented sausages at the end of the fermentation cycle must be recorded.
- 7) Dry (unfermented) products may not be hot smoked until the curing and drying procedures are completed; and
- 8) Semi-dry fermented sausage must be heated after fermentation to a time/temperature sufficient to meet requirements in Section 750.180 (Cooking Potentially Hazardous Foods).
- k) All aspects of curing operations must be conducted in an area specifically designated for this purpose. There must be an effective separation to prevent cross contamination between raw and cooked foods or cured and uncured foods. Access to processing equipment shall be restricted to responsible trained personnel who are familiar with the potential hazards inherent in curing foods.
- l) Any records required in this Section must be retained by the food service establishment for at least 6 months.

(Source: Added 1996¹ 20 Ill. Reg. 3210, effective 10/5/1996)

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1) Heading of the Part: Hospital Licensing Requirements

2) Code Citation: 77 Ill. Adm. Code 250

3) Section Numbers:

250.1090 Adopted Action:
 Amendments
 250.1100 Amendments
 250.1820 Amendments
 250.1830 Amendments

4) Statutory Authority: Hospital Licensing Act (210 ILCS 85)

5) Effective Date of Rulemaking: February 15, 1996

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? Yes

8) Date Filed in Agency's Principal Office: February 15, 1996

9) Notice of Proposal Published in Illinois Register: July 21, 1995 - 19 Ill. Reg. 10407

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: The following changes were made in response to comments received during the first notice or public comment period:

1. Between line 21 and 22, add, "250.265 Language Assistance Services".
2. Beginning on line 233, delete the Ill. Rev. Stat. citation.
3. On line 263, after the semi-colon, add, "amended at 19 Ill. Reg. 13355, effective September 15, 1995;"
4. On line 293, add an "s" to the word "number".
5. On line 325, replace "inservice" with "in-service".
6. On line 511, change "are" to "are" and add "is".
7. Beginning on line 514, strike "maternity patients" and add "the perinatal patients assigned to the unit".
8. On line 536, strike out "for", delete "the", and add "as relates to the".

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9. On line 582, strike out "biannually" and add "every two years".
10. Revise lines 626 and 627 to read as follows, "The facility shall establish Policies and procedures that include the use of universal precautions and address isolation techniques and facilities used. The policies and procedures must be well known to all personnel performing services."
11. On line 708, strike out "contaminated at birth, i.e., infants".
12. On line 712, insert after the word "in", "the mother's private room,".
13. On line 716, strike out "(J)" and add "(I)".
14. Strike out lines 728 and 729.
15. On line 769, strike "noninfected" and add "noninfectious.".
16. Strike all of lines 804 and 805 except the work "personnel" and the period.
17. Strike lines 859-863 and add "Nursery linens shall be washed separately from other hospital linens.".
18. Strike lines 864 and 865. Add, "Soiled linens shall be discarded into impervious plastic bags placed in hampers that are easy to clean and disinfect. Soiled diapers shall be placed in special diaper receptacles immediately after removal from the neonate. Diapers shall not be rinsed in the nursery.".
19. On line 867, add "air" after the word "negative". Strike, "vacuum in effect" and add "exists.".
20. Strike lines 868 and 869. Add, "Plastic bags of soiled diapers (reusable or disposable) and other linens shall be sealed and removed from the nursery at least every eight hours.".
21. Strike lines 870, 871 and 872. Add, "Linens shall be transported to the nursery in an enclosed unit or otherwise protected from contamination.".
22. Add after line 873, "linen used in observation and special care nurseries shall be autoclaved.".
23. On line 911, strike out "pharynx" and insert "pharynx".
24. On line 1011, add after "exist", "I.".

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25. Do not strike lines 1061, 1062, and 1063. Strike the word "should" on line 1062 and insert "shall" underlined.
 26. On line 1102, strike "a" and add "an".
 27. On line 1212, strike "challenge" and add "contraction stress".
 28. Strike lines 1303, 1304 and 1305. Add, "Transport of newborn infants from the delivery room to the nursery shall be done in a safe manner.".
 29. Strike lines 1313-1318. Add, "The stay of the mother and baby in the hospital after delivery should be planned to allow the separation of problems and to reinforce instructions in preparation for the infant's care at home. The mother and infant shall be observed for a sufficient period of time and assessed prior to discharge to ensure that their condition is stable. Hearing infants should be discharged from the hospital simultaneously with the mother or to other authorized (by the mother) personnel should the mother remain in the hospital for an extended stay. It is recommended that there be a provision for follow-up for mothers and babies discharged within 24 hours. This follow-up should include a face-to-face encounter with a health care provider who will assess the condition of mother and baby and arrange for intervention if problems are identified.".
 30. On lines 1408 and 1409, strike "the administrator and the obstetric nursing supervisor" and add "a representative of the department preparing the document".
 31. On line 1410, strike "fifth" and add, "fifteenth".
 32. On line 1545, strike the word "and", and after "corridors" add, "and other areas in accordance with facility policy".
- The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:
1. In line 1121, the final period was stricken.
 2. In line 1338, "condition is" was changed to "conditions are".
- In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? The Department has made all the changes to which it agreed with the Joint Committee.

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- 13) Will this rulemaking replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? Yes

Section Numbers	Adopted Action	Illinois Register Citation
250.120	Amendments	20 Ill. Reg. 192
250.280	New Section	20 Ill. Reg. 192
250.435	New Section	20 Ill. Reg. 192

- 15) Summary and Purpose of Rulemaking: The rules in Part 250 govern the licensure of hospitals in Illinois. These proposed amendments were approved by the Hospital Licensing Board at its meeting on May 17, 1995.

Section 250.1090 (Sterilization and Processing of Supplies) contains changes in requirements governing policies and procedures for decontamination and sterilization activities. A new provision requires load control numbers to be used to designate the hospital sterilization equipment used for each item, including the sterilization date and cycle. Requirements for designation of event-related shelf life are included. A facility may choose to use both a specific expiration date and event-related shelf life designation specific for certain wrappings, areas of the hospital, etc. as long as the policies and procedures, as approved by the Infection Control Committee, and training of staff define this practice.

Section 250.1100 (Infection Control) is amended to update infection control practices and to correct formatting problems.

Section 250.1820 (Maternity and Neonatal Service Regulations (Perinatal Service)) is amended to delete gowning requirements and to require the hospital's Infection Control Committee to establish a dress code for full- and part-time employees and visitors in compliance with the "Guidelines for Perinatal Care."

Section 250.1930 (General Requirements for all Maternity Departments) includes deletion of references to the Department's approval of maternity service plans. Requirements containing the word "should" are changed to "shall." Requirements for circumcision of infants are clarified. References to incorporated materials are updated. Epidemic and communicable disease reporting requirements are updated to reference the Control of Communicable Disease Code. Protocols for management and reporting of infections must be approved by the Infection Control Committee. In accordance with Public Act 88-689 (effective January 1, 1996), hospitals are required to demonstrate that they have adopted procedures designed to reduce the likelihood that an infant patient will

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- be abducted from the hospital, and procedures designed to aid in identifying abducted infants who are recovered.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Ms. Gail DeVito
Address: Division of Governmental Affairs
Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
Telephone: 217/782-6187

The full text of the Adopted Amendment begins on the next page:

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NOTICE OF ADOPTED AMENDMENTS

TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER b: HOSPITALS AND AMBULATORY CARE FACILITIES

PART 250

HOSPITAL LICENSING REQUIREMENTS

SUBPART A: GENERAL

Section	
250.110	Application for and Issuance of Permit to Establish a Hospital
250.120	Application for and Issuance of a License to Operate a Hospital
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APPENDIX A Codes and Standards (Repealed)

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TABLE A Measurements Essential for Level I, II, III Hospitals

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TABLE D General Pressure Relationships and Ventilation of Certain Hospital Areas (Repealed)

TABLE E Piping Locations for Oxygen, Vacuum and Medical Compressed Air

TABLE F General Pressure Relationships and Ventilation of Certain Hospital Areas

TABLE G Insulation/Building Perimeter

AUTHORITY: Implementing and authorized by the Hospital Licensing Act [210 ILCS 85].

SOURCE: Rules repealed and new rules adopted August 27, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of 150 days; amended at 2 Ill. Reg. 21, p. 49, effective May 16, 1978; emergency amendment at 2 Ill. Reg. 31, p. 73, effective July 24, 1978, for a maximum of

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150 days; amended at 2 Ill. Reg. 45, p. 85, effective November 6, 1978; amended at 3 Ill. Reg. 17, p. 88, effective April 22, 1979; amended at 4 Ill. Reg. 22, p. 233, effective May 20, 1980; amended at 4 Ill. Reg. 25, p. 138, effective June 5, 1980; amended at 5 Ill. Reg. 507, effective December 29, 1980; amended at 6 Ill. Reg. 575, effective December 30, 1981; amended at 6 Ill. Reg. 1655, p. 15, effective January 27, 1982; amended at 6 Ill. Reg. 3296, effective March 15, 1982; amended at 6 Ill. Reg. 7335 and 7838, effective June 17, 1982; amended at 7 Ill. Reg. 962, effective January 6, 1983; amended at 7 Ill. Reg. 5218 and 5219, effective April 4, 1983 and April 5, 1983; amended at 7 Ill. Reg. 6364, effective May 17, 1983; amended at 7 Ill. Reg. 8546, effective July 12, 1983; amended at 7 Ill. Reg. 9610, effective August 2, 1983; codified at 8 Ill. Reg. 100, amended at 8 Ill. Reg. 24148, effective November 29, 1984; amended at 9 Ill. Reg. 4232, effective April 1, 1985; amended at 10 Ill. Reg. 11931, effective September 1, 1986; amended at 11 Ill. Reg. 10283, effective July 1, 1987; amended at 11 Ill. Reg. 10642, effective July 1, 1987; amended at 12 Ill. Reg. 1080, effective October 1, 1988; amended at 12 Ill. Reg. 16760, effective October 1, 1988; amended at 13 Ill. Reg. 13232, effective September 1, 1989; amended at 14 Ill. Reg. 2342, effective February 15, 1990; amended at 14 Ill. Reg. 13824, effective September 1, 1990; amended at 15 Ill. Reg. 5328, effective May 1, 1991; amended at 15 Ill. Reg. 13811, effective October 1, 1991; amended at 17 Ill. Reg. 1614, effective January 25, 1993; amended at 17 Ill. Reg. 17225, effective October 1, 1993; amended at 18 Ill. Reg. 11945, effective July 22, 1994; amended at 18 Ill. Reg. 15390, effective October 10, 1994; amended at 19 Ill. Reg. 13355, effective September 15, 1995; amended at 20 Ill. Reg. - effective **FEB 15 1996**.

SUBPART I: NURSING SERVICE AND ADMINISTRATION

Section 250.1090 Sterilization and Processing of Supplies

a+

- a) All sterilization and processing of all sterile supplies and equipment shall be under competent, qualified supervision.
- 1) The director or person responsible for central services shall be responsible to the chief executive officer either directly or through a designated department head. This person shall be qualified for the position by education, training, and experience and should be a member of the Infection Control Committee.
- 2) The number of supervisory and support personnel shall be related to the scope of the services provided. New employees shall receive initial orientation and on-the-job training, and all employees shall participate in a continuing in-service education program, which shall be documented.
- 3) Educational efforts, though directed primarily at sterile-supply processing and handling techniques, shall also include management concepts, safety, personal hygiene, health requirements, and work attire.

- b) There shall be written policies and procedures for the decontamination and sterilization activities performed in central services and elsewhere in the hospital. These policies and procedures shall relate, but are not limited, to the following:
- 1) The receiving, decontaminating, cleaning, preparing, disinfecting and sterilizing of reusable items.
- 2) The assembly, wrapping, storage, distribution, and quality control of sterile equipment and medical supplies. Load control numbers shall be used to designate the hospital sterilization equipment used for each item, including the sterilization date and cycle.
- 3) The use of sterilization process monitors, including temperature and pressure recordings, and the use and frequency of appropriate chemical indicator and bacteriological spore tests for all sterilizers.
- 4) Designation of the shelf life for each hospital-wrapped and sterilized medical item and, to the maximum degree possible, for each commercially prepared item by a specific expiration date that is limited on the number of days an item will be considered safe for use. Load control numbers shall be used to designate the hospital sterilization equipment used for each item, including the sterilization date and cycle.
- A) Designation of a shelf life may be a specific expiration date, i.e., 30 days, 6 months, etc., based on manufacturer's recommendation, a nationally recognized authority, or other standard approved by the facility's Infection Control Committee.
- B) Designation of shelf life may be event related if policies and procedures, approved by the Infection Control Committee, address at least the following:
- i) requirements for wrapping, storage and rotation of sterile supplies;
- ii) definition of an event that may cause a sterile item to be or be suspected of being compromised, such as the package being wet or torn, or the seal being broken or tampered with;
- iii) clear direction that final inspection of the package and the ultimate decision to use the contents of the package rest with the clinician; and
- iv) orientation, in-service and other follow-up to assure that all necessary staff understand and implement the policies and procedures.
- C) A facility may choose to use both a specific expiration date and event-related shelf life designation specific for certain wrappings, areas of the hospital, etc., as long as the policies and procedures, as approved by the Infection Control Committee, and training of staff define this practice.

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- and needles is required.
- 3) All instruments, whether used on infected cases or clean cases, shall be cleaned before sterilization. Instruments used on infected cases shall be disinfected before transport to Central Supply.

- 4) Boiling is not an approved method of sterilization.

f) Water sterilization

- 1) When non-commercial sterile water is utilized, water sterilization equipment shall be maintained and operated in a manner which will protect the sterilized water from contamination. ~~sterile water drawn from the reservoir or flask~~
~~shall be strictly safeguarded.~~

- 2) An acceptable method for checking the sterility of the water shall be utilized. Water may be sterilized either in approved water sterilizers or autoclaved in approved flasks.

- g) Sterilization and storage of supplies and equipment
- 1) Supplies and equipment shall be properly wrapped and labeled before sterilization.

- 2) The effectiveness of hospital sterilization shall be checked. This should include ~~at least monthly~~ bacteriological testing of all sterilization units throughout the hospital in accordance with Infection Control Committee procedures. ~~Supply one wide sterilizers--should include bacteriological tests with each load.~~ Indicators shall be used to show that a wrapped package has been sterilized. A procedure shall be established for the recall of expired or inadequately sterilized goods for both in-house and commercially sterilized supplies and equipment. Refer to Section 250.110(a)(5).

- 3) Supplies and equipment commercially prepared so as to retain sterility indefinitely are acceptable. The hospital should satisfy itself of the sterility of such materials.

- 4) Sterile equipment and supplies shall be stored properly in clean cabinets, cupboards, or other suitable enclosed spaces. An orderly system of rotation of supplies is recommended so that supplies stored first will be used first

(Source: Amended at 20 Ill. Reg. _____, effective **3234**
FEB 15 1996)

Section 250.1100 Infection Control

a)

- a) There shall be a multidisciplinary Infection Control Committee composed of at least of members of the medical staff, nursing staff, the supervisor of Central Sterile Supply and administration, charged with the responsibility of investigations and recommendations for the prevention and control of infections within the hospital.

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- 5) Acquisition of supplies after normal working hours or any time the central service or sterile supply unit is considered "closed" or unstaffed.

- 6) Preventive maintenance of all central supply service equipment, including performance verification records and reports.

- 7) The recall and disposal or reprocessing of outdated sterile supplies.

- 8) The emergency collection and disposition of supplies when special warnings have been issued by the manufacturer. There shall be appropriate notification of the attending physician where patient exposure is known.

- 9) Specific aeration requirements for each category of gas-sterilized items to eliminate the hazard of toxic residues.
- 10) The cleaning and sanitizing of work surfaces, floors, utensils, and equipment used in central service functions.

- c) Space shall be provided for the efficient operation of all central service functions. Functional design and work flow patterns should provide for the separation of soiled and contaminated supplies from those that are clean and sterile. Equipment of adequate design, size, and type should be provided for the effective decontaminating, disinfecting, cleaning, packaging, sterilizing, storing, and distributing of medical instruments, supplies, and equipment used in patient care.

d) Equipment and procedures

- 1) The facilities, equipment, and procedures for clean-up, preparation, and sterilization shall be adequate to allow proper cleaning, processing, and sterilizing of patient care supplies and equipment.

- 2) When clean-up, preparation, and sterilization functions are carried out in the same room or unit (as in a central sterilizing department) the physical facilities and equipment and the policies and procedures for their use shall be such as to effectively separate soiled or contaminated supplies and equipment from the clean or sterilized supplies and equipment.

- 3) Sterilization equipment shall be maintained in good repair and under the provisions of a preventive maintenance program of the Engineering and Maintenance Services. (Refer to Subpart P.)

- 4) All pressure steam autoclaves shall have recording thermometers, and the sterilization performance shall be otherwise checked.

e) Sterilization of instruments and utensils

- 1) All surgical instruments not adversely affected by high temperature shall be sterilized by pressure steam sterilization.
- 2) Whenever possible, throughout the hospital, sterilization shall be accomplished by pressure steam sterilization. ~~Hot in some instances--not~~ air sterilization or gas sterilization may be used. When gas sterilization is used, there shall be policies and tested procedures for proper aeration to permit safe utilization. Pressure steam sterilization of reusable syringes

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b)2) Policies and procedures for the reporting and care of cases of communicable diseases shall be in accordance with 77 Ill. Adm. Code 690, the Control of Communicable Diseases Code as published by the Department.

c)3) When patients having a communicable disease or presenting signs and symptoms suggestive of such diagnosis are admitted, proper precautionary measures shall be taken to avoid cross-infection to personnel, other patients, or the public.

d)4) The hospital shall provide facilities and equipment for the isolation of known or suspected cases of infectious disease.

e)5) Policies and procedures for the handling of infectious cases shall include orders to the medical, nursing, and non-professional staffs providing for proper isolation technique. Suggested reference: Isolations--Techniques--for--use--in--Hospitals--published--by--the--Public Health--Service--at--the--U.S.--Department--of--Health--Education--and Welfare.

f)6) All persons who care for patients with or suspected of having a communicable disease or whose work brings them in contact with materials that which are potential conveyors of communicable disease shall take appropriate safeguards to avoid transmission of the disease agent.

g)7) The handling and disposal of contaminated material shall be in a manner designed to prevent the transmission of the infectious agent. h)8) Thorough handscrubbing shall be required after touching any contaminated or infected material.

i)9) Whenever 77--Ill--Adm--Code--690 the Control of Communicable Diseases Code requires--as--published--by--the--Department--require the submission of laboratory specimens for the release of a patient from isolation or quarantine and the hospital laboratory is not approved by the Department for the performance of the specific tests, then the specimens shall be submitted to the laboratories of the Illinois Department of Public Health or other laboratory licensed by the Department for the specific tests required.

j)10) The hospital shall establish a systematic plan of checking and recording cases of infection, known or suspected, which develop in the institution; such cases shall be reported to the infection committee and hospital administration. The committee shall be empowered and directed to investigate nosocomial infections to determine the causative organism and its possible sources. The findings and recommendations of the infection committee shall be reported to the medical staff and/or administration for corrective action.

k)11) Epidemics--of--Diseases--at--the--Newborn--and--of--Infection--Centers--shall be--reported--and--handled--as--provided--in--Subpart--6.

k)12) There shall be policies and procedures related to the above and to the following items but not limited thereto:

- 1) The admission and isolation of patients with specific and/or suspected infectious diseases, and protective isolation of appropriate patients.

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2) In-service ~~the--in-service~~ education programs on the control of infectious diseases.

3) Policies and procedures for isolation techniques appropriate to the working diagnosis of the patient, and protective routines for personnel and visitors.

4) ~~Written--procedures--for--the--bacteriologic--testing--of--areas--of--possible--infection--Results--of--all--testing--shall--be--recorded--and--reported--to--the--Infection--Control--Committee--Re-state--existing--of--environment--and--personnel--is--not--recommended.~~

4)5) The recording and reporting of all infections of clean surgical cases to the Infection Control Committee, and procedures for the investigation of such cases.

3234

(Source: Amended at 20 Ill. Reg. effective

FEB 15 1996)

SUBPART 0: MATERNITY AND NEONATAL SERVICE

Section 250.1820 Maternity and Neonatal Service Regulations (Perinatal Service)

a) Chief of Obstetric and Pediatric Services

- 1) Each hospital should have an organized obstetric staff with a chief of obstetric service who is either certified or qualified in obstetrics or a physician who is interested in and regularly practicing obstetrics as chief of the maternity service, and document a source for obstetric consultation available on a twenty-four 24-hour basis. The chief's chief's level of qualification and expertise is are to be appropriate to level of care rendered in the facility.

2) The chief's His responsibilities shall include:

- A) the general supervision of the care of the perinatal patients assigned to the unit maternity-patients;
 - B) the establishment of criteria for admissions;
 - C) the adherence to licensing requirements;
 - D) the adoption by the medical staff of standards of practice and privileges;
 - E) the identification of clinical conditions and procedures requiring consultation;
 - F) the arrangement of conferences held at regular intervals (quarterly is suggested as a minimum interval) to review operations, complications, and mortality;
 - G) assurance that the clinical records, consultations and reports are properly completed and analyzed;
 - H) the provision for exchange of information between medical, administrative and nursing staffs.
- 3) Each hospital should have an organized pediatric staff with a chief of service who is either certified or qualified in

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pediatrics or a physician who is interested in and regularly practicing neonatology as chief of the neonatology service and a source for neonatology consultation available on a 24-hour basis. This physician's H+ responsibilities shall include subsections (a)(2)(A) through (H) of this Section, as relates to the for care of newborn infants.

b) Provision of Care

- 1) All hospitals described or considered as general hospitals by the Illinois Department of Public Health shall provide for the admission, medical care, transfer or discharge of the obstetric and neonatal patients.
- 2) No hospital shall fail to provide such care without the expressed written consent of the Director of the Illinois Department of Public Health.
- 3) Each licensed hospital providing maternity and perinatal services shall comply with the perinatal care standards promulgated by the Department (Regionalized Perinatal Care, 77 Ill. Adm. Code 640).

c) Location

- 1) Maternity and neonatal services shall be located and arranged to provide maximum protection for mothers and neonatal patients from infection and cross-infection from patients in other services of the hospital.
- 2) Hospital ~~it is required that~~ maternity and neonatal facilities shall be located in the hospital so as to prevent through traffic to any other part of the hospital.

d) Adequacy of Services

- 1) The hospital shall have well-organized maternity and neonatal services adequately supervised by qualified personnel with the necessary space, facilities, equipment and personnel to perform or make available maternity and neonatal services commensurate with the needs of the population in the hospital service area.
- 2) Total live births generated by the hospital service area will determine the size of the postpartum nursing unit (number of rooms and beds) which in turn will be related to space allotments for delivery rooms, nurseries and other facilities. The size of the unit will affect medical and nursing care plans for the maternity and neonatal service.

e) Maternity and Neonatal Service Plan

- 1) Hospitals providing maternity and neonatal services must develop a plan for the management of the obstetric and neonatal patients that meets the requirements of this Subpart. The plan must be developed by the nursing department and medical staff and must be approved by the governing authority of the hospital.
- 2) The hospital's written Maternity and Neonatal Service Plan shall be known to medical staff and nursing personnel and more specifically to maternity and nursery personnel. A copy of the plan shall be available in each maternity and nursery unit and in every relevant hospital service area; the Plan must be reviewed

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at least every two years biannually and revised as indicated by the review.

- 3) ~~Reference--"Standards and Recommendations for Hospital Care--for Newborns"--American Academy of Pediatrics, "Standards for Obstetric-Synthetic Hospital Services,"--American College--of Obstetricians and Gynecologists.~~

f) Levels of Care

- 1) Maternity and neonatal patients should be identified according to the level of specialized care required.

A) Level I or Primary Perinatal Care means the minimal level of care provided to the healthy ~~the normal~~ or low risk patient ~~may be considered to require a minimal level of care.~~

B) Level II or intermediate perinatal care means the level of care provided to a mother, fetus or newborn infant that which is less than tertiary or the greatest degree of intensive care but that which is a greater degree of intensity than normal or general care ~~as is defined below.~~

C) Level III or intensive perinatal care means the level of care providing close medical and surgical coordination, multidisciplinary consultation and supervision provided to those patients with medical and surgical problems that which require highly specialized treatment and highly trained personnel ~~as defined below.~~

2) Service Management Plan

A) A service management plan must be provided for the primary, intermediate and intensive levels of care for all patients. The plan must provide for consultation services and establish the availability of such services to stimulate early diagnosis of maternal, fetal and neonatal problems. Services unable to provide all three levels of care of patients must maintain plans for the safe transfer of certain categories of patients to hospitals with more specialized facilities, services and personnel.

B) When the condition permits, a patient may be transferred from the tertiary care facility to an intermediate care facility that which is nearest the family residence or another facility that which can provide the appropriate level of care. A neonatal patient should be transferred to a nursery nearest the family's home that which is able to provide an appropriate level of care.

g) Infection Control

- 1) The facility shall establish ~~obstetric~~ policies and procedures that include the use of universal precautions and address isolation techniques and facilities. ~~used~~ The policies and procedures must be well known to all personnel performing services in the maternity and newborn service areas. A copy of the procedures must be placed in each maternity and nursery unit

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and in relevant hospital service areas.

- A) There must be a continuing program of instruction for all personnel on the mode of spread of infection.
- B) The policies and procedures relative to the criteria for isolation and aseptic techniques must be enforced.
- E) ~~Reference--Standards-and-Recommendations-for-Hospital-Care-for-Newborn-Infants-of-the-American-Academy-of-Pediatrics--Standards-for-Obstetric-Gynecologic-Services--of-the-American-College-of-Obstetricians-and-Gynecologists--a-Code--of-the-Infants-Department-of-Public-Health--isolation-techniques--for-use-in-Hospitals--a-Code-for-Disease-Control-USPHS-Department-of-Health-and-Human-Services.~~
- 2) Infection Control Requirements:
 - A) Professional and ancillary maternity and nursery personnel who have contact with patients shall be free of transmissible disease.
 - B) Health assessment of personnel
 - i) Health ~~Annual--Health~~ assessment of nursery personnel shall be performed at a frequency determined by the Infection Control Committee and shall include screening for tuberculosis in accordance with Section 690.720 of the ~~Department's rules entitled~~ "Control of Communicable Diseases Code" (77 Ill. Adm. Code 690).
 - ii) Evidence ~~It--is--recommended--that--evidence~~ of prior rubella infection or rubella vaccination shall be required of nursery personnel.
 - C) Except that hair must be properly covered or controlled, caps, beard bags, and masks are not needed for routine nursery activities. Caps, beard bags and masks are required in the delivery room, and for surgical procedures including umbilical vessel catheterization. ~~Special--shoes--or--shoe coverings--should--be--worn--in--the--delivery--room--if--flammable materials--are--used--conductive--shoes--or--shoe--coverings--are required.~~
- D) Handwashing to the elbows with an antiseptic agent by a procedure developed and posted by the Infection Control Committee is required before entering the nursery, and between patients.
- E) All rings, watches and bracelets shall be removed before handwashing and entering the nursery.
- F) ~~Visiting--personnel--in--the--nursery--shall--wear--gowns--to--cover clothing--unless--all--infants--are--kept--in--forced--air--enclosed incubator.~~
- G) ~~Physicians--nursing--personnel--and--others--who--spend--most--of their--working--day--in--a--Maternity--Rooming--in--unit--of--the nursery--unit--should--wear--short--sleeved--scrub--dress--or--stater When--leaving--the--unit--a--long--sleeved--gown--should--be--worn~~

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~~over-the-scrub-dress-or-suit-and-discarded-upon-returning-to the-unit.~~

- E) The facility's Infection Control Committee shall establish a dress code for full and part-time employees and visitors in compliance with the "Guidelines for Perinatal Care."

G) In the normal care nursery, infants with suspected infections are moved to a transition nursery for observation.

H) Individual isolation technique is applied to the infected or potentially infected maternity or newborn infant. A closed isolette does not constitute isolation, nor is it a part of isolation technique.

I) Movement of an infected newborn to a separate isolation room is not necessary if there is adequate nursing and medical staff for unhurried movement between patients and adequate time for thorough handwashing between patients and gowning, sufficient space (four to six feet) for easy movement between patients and to remove temptation to move from one patient to another without handwashing, a continuing program of instruction for all nursery personnel on the mode of spread of infections, and if there are two sinks for each nursery room. If these conditions are not met, an isolation room with separate scrub facilities is necessary for the infected patient. See Section 250.2440(h) for additional requirements.

J) Infants contaminated at birth--newborn infants born outside the hospital or under conditions not aseptic, or of mothers with membranes ruptured 24 hours or more, or born of mothers suspected of harboring infectious disease shall be cared for in the mother's private room, an observation or transition room, or in the primary care area with careful attention to proper aseptic technique of attending personnel and to conditions described in subsection (g)(2) of this Section.

K) The physician in charge and the nursing supervisor with the Infection Control Committee should establish a program of disinfection for patient areas. Clear descriptions of cleaning and disinfection methods should be incorporated into the patient care procedures manual. Incubators and bassinets are to be disinfected upon an infant's discharge, and other nursery and delivery equipment cleaned and sterilized by specific procedures consistent with recommendations of the American Academy of Pediatrics, American College of Obstetrics and Gynecology and outlined in the unit's procedures manual. Spot-checking--at-random cultures-of-delivery-room-and-nursery--may--help--determine effectiveness-of-procedures.

3) References--Standards-and-Recommendations-for-Hospital-Care-for

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Newborn--Infancy--American Academy of Pediatrics--Standards for Obstetric Gynecologic Services--American College of Obstetricians and Gynecologists--General of Communicable Diseases Code--Illinois Department of Public Health--177--111--Adm--Code--5077--HIS--Techniques--for Use in Hospitals--Center for Disease Control--USPHS--Department of Health and Human Services

h) Combined Facilities

- 1) Obstetric and clean gynecologic service facilities may be combined in accordance with a plan that complies with the requirements of this Subpart. The combined service program, its functional operations and detailed rules and regulations must be approved by the Hospital Maternity and Newborn Service, Medical Staff and Governing Authority.
- 2) In combined programs, Cesarean section and obstetrically related surgery other than vaginal delivery may be carried out in a designated and approved operating or delivery room. In combined programs, vaginal deliveries may be carried out only in designated and approved delivery rooms or designated and approved operating rooms used solely for obstetric and/or clean gynecologic procedures.
- 3) Gynecologic service and maternity service may be provided for in a combined Maternity and Gynecologic Service, or clean gynecologic cases may be admitted to the postpartum nursing unit of a maternity service in accordance with the hospital's Maternity Service Plan.
- 4) Only members of the medical staff with appropriate privileges may admit and care for patients in such combined service areas. Such admissions must be strictly controlled and be subject to the final authority delineated in the medical staff bylaws and approved by the hospital governing authority. There shall be close surveillance of the services by the hospital's infection committee.
- 5) Patients admitted to combined service facilities of hospitals with approved programs shall be limited to:
 - A) Obstetric patients admitted for delivery.
 - B) Clean obstetric complications (regardless of month of gestation). Refer to Section 250.1830(g)(2).
 - C) Other noninfectious noninfected complications of pregnancy.
 - D) Selected clean gynecologic patients.
- 6) Patients not eligible for admission include those:
 - A) with an active, acute or chronic infectious condition;
 - B) patients housed on other services of the hospital;
 - C) requiring radium or radiation isotope therapy, excluding external radiation therapy.
- 7) There shall, on a daily basis, be unoccupied reserve beds in the combined facilities in readiness for use by obstetric patients. This unoccupied reserve shall be not less than 10% of the average

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daily census for obstetric patients.

- 9) Patients admitted to the combined services may be taken to x-ray or other hospital facilities for diagnostic procedures, before or after surgery, so long as there is no evidence that such procedures may be hazardous to the patient or to other patients on the combined service.
- 9) Patients may receive postpartum or immediate postoperative care in the general recovery room prior to being returned to the combined service floor if the following conditions prevail: (refer Refer to Section 250.1320(a))1)
 - A) The recovery room or intensive care unit is a separate unit adjacent to or part of the general surgical operating suite and of delivery suite.
 - B) The recovery room or intensive care unit contains no patients with known or suspected infectious or communicable disease or other adverse conditions.
 - C) The recovery room is under the direct supervision of the chairman of anesthesiology of the hospital. In separate maternity recovery rooms such supervision is provided by the obstetrician in charge or a qualified designated physician.
- 10) Nursing care of all patients shall be supervised by a registered professional nurse qualified to provide such supervision.
- 11) Nursing care of all patients may be given by the same personnel except when nursing in postpartum patients is practiced in the maternity area.
- 12) Visiting regulations for obstetric patients shall apply to all patients admitted to the combined facilities. Refer to Section 250.1830(k).
- 1) Activity Records
 - 1) The hospital shall establish and keep the necessary daily records, including a Patient Log and the Maternity Services Daily Census Report, from which required reports can be prepared.
 - 2) The Patient Log shall contain, as a minimum, the following data on each patient admitted to the department other than maternity patients:
 - A) Name of patient or hospital patient number
 - B) Age
 - C) Attending physician's name
 - D) Date of admission
 - E) Admitting diagnosis
 - F) Operative procedure
 - G) Discharge diagnosis
 - H) Date of discharge
 - I) Days stay
 - J) Transferred off floor
 - K) Reason for transfer

- 3) A Maternity Service Daily Census Report shall be kept, which for

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each day of the month gives the patient census (at the census taking hour) of

- A) obstetric patients, including patients with clean obstetric complications,
- B) gynecologic patients,
- C) empty beds in the department, and
- D) total patients.

- 4) The hospital shall submit required reports including a supplement to its Monthly Perinatal Activities Report to the Department. The report form shall be provided by the Department. Refer to Section 250.1830(1).

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(Source: Amended at 20 Ill. Reg. _____, effective _____)
FEB 15 1996

Section 250.1830 General Requirements for all Maternity Departments

- a) ~~Heating--of-nurseries--and-delivery-suites--The temperature and humidity in the nurseries and in the delivery suite shall be maintained at a level best suited for the protection of mother and baby as determined by the responsible people in the department and as recommended by the American Academy of Pediatrics and ACOG. Chilling of the neonate must be avoided; the neonate must be immediately placed in an approved radiant heat source ~~placed-in-and~~ ready to receive the infant and that ~~which~~ allows access for resuscitation efforts. Personnel trained to use the equipment to maintain a neutral thermal environment for the neonate shall be available. For general temperature and humidity requirements see Section 250.2480(d)(1). In general, a temperature between 72 degrees and 76 degrees and relative humidity between 35% and 60% are ~~is~~ acceptable.~~
- b) Linens and laundry
 - 1) Nursery linens shall be washed separately from other hospital linens. ~~It-is-recommended-that-all-washable-bedding--including-blankets-and-garments-used-for-newborn--infants--be-autoclaved before-use--when-there-is-not-positive-assurance-that-all-items have-been-sterilized--are-clean-and-safe-for-use.~~
 - 2) Soiled linens shall be discarded into impervious plastic bags placed in hampers that are easy to clean and disinfect. Soiled diapers shall be placed in special diaper receptacles immediately after removal from the neonate. Diapers shall not be rinsed in the nursery. ~~Diapers--and--other-soiled-nursery-linen--shall-be washed-separately-from-each-other--and--from-other-hospital--linen.~~ Chutes from nursery to laundry shall be used only if a system of negative air pressure exists ~~vacuum-is-in-effect.~~
 - 3) Plastic bags of soiled diapers (reusable or disposable) and other linens shall be sealed and removed from the nursery at least every eight hours. ~~Binets-used-in-observation-and-special-care nurseries-should-be-autoclaved.~~

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- 4) Linens shall be transported to the nursery in an enclosed unit or otherwise protected from contamination. ~~Soiled-linen--shall-be placed-in-hampers-easy-to-clean-and-disinfect--and-removed-from the-area-every-eight-hours-in-sealed-bags.~~
- 5) No new unlaundered garments shall be used in the nursery. Linen used in observation and special care nurseries shall be autoclaved.

- c) Sterilizing equipment, as required in Section 250.1090(d)(3)(vii), shall be available. This may be provided in the maternity department or in a central sterilizing unit provided that flash sterilizing equipment or adequate sterile supplies and instruments are provided in the maternity department.

- d) Accommodations and facilities for mothers
 - 1) The hospital shall identify specific rooms and beds, adjacent when possible to other maternity facilities, as maternity rooms and beds. These rooms and beds shall be used exclusively for maternity patients or for combined maternity and gynecological service beds ~~as-provided-in-a-plan-specifically-approved-by-the Department in accordance with Section 250.1820(n).~~
 - 2) ~~Base--of--adjacent-patient--rooms--and--beds--Whenver feasible,~~ adjacent patient rooms and beds may be used as "swing beds" to be made a part of another nursing unit. Adjacent rooms and beds may be used for clean cases. A corridor partition with doors is recommended to provide a separation between the maternity beds and maternity facilities and the nonmaternity rooms. The doors shall be kept closed except when in active use as a passageway.
 - 3) ~~Isolation--facilities--Facilities shall be available for the immediate isolation of all patients in whom an infectious condition is thought to exist or other conditions inimical to the safety of other maternity and neonatal patients.~~
 - 4) ~~Labor--beds--It is preferred that labor rooms be private or two-bed rooms. Labor rooms shall be conveniently located with reference to the delivery rooms and shall have facilities for examination and preparation of patients.~~
 - 5) ~~Battery-Room~~

- 5) ~~Delivery rooms room shall be equipped and staffed to provide emergency resuscitation for infants. Equipment shall ~~should~~ include an infant size positive pressure bag with capability of 100% O₂ delivery. Bag and mask with attachment for oxygen, laryngoscope with zero and one sized blades, endotracheal tubes sizes 10, 12, 14 French or equivalent, oral airways and an appropriate device to provide a source of continuous suction for aspiration of the pharynx and stomach. An umbilical vessel catheterization tray should be available. Only personnel qualified and trained to do so should use this equipment.~~

- 6) ~~If only one delivery room is required, one labor room shall should be arranged as an emergency delivery room and shall should have a minimum clear floor area of 180 square feet.~~

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7)† Recovery-room--A recovery room is recommended. The patient

shall be kept under close observation until her condition is stabilized following delivery. Observations at established time intervals shall be recorded as a part of the patient's chart. A recovery area shall be provided. Emergency equipment and supplies must be available for use in the recovery area. Continuing education for personnel providing recovery room care should be provided. Refer to Section 250.1410(g).

e) Accommodations and facilities for infants

1) Primary Care Nurseries

A) A clean nursery or nurseries shall be provided, preferably near the mothers' rooms with adequate lighting and ventilation. There shall be a minimum of 30 ~~thirty~~ square feet of floor area for each bassinets and three feet between bassinets. Equipment must be provided to prevent direct draft on the infants. Because one nursing staff person is required for every six to eight normal infants, individual nursery rooms should have a capacity of six to eight or 12 to 16. The normal newborn infant care area in a smaller hospital should limit room size to eight, so that two or more rooms are available to permit cohorting in presence of infection.

B) Bassinets equipped to provide for the medical examination of the newborn infant and for the storage of necessary supplies and equipment shall be provided in a number to exceed obstetric beds by 20% at least to accommodate multiple births, extended stay, and fluctuating patient loads. Bassinets are to be separated by a minimum of three feet measuring from the edge of one bassinet to the edge of the adjacent one.

C) A glass observation window shall be provided through which babies may be viewed.

(D) Resuscitation equipment as described for the delivery suite and below, and personnel trained to use it, shall be available in the nursery at all times.

(E) Each primary care nursery shall have immediately on hand available in the nursery at least the following equipment:

- ii) A heat source capable of maintaining the core temperature of even the smallest infant at 98 degrees (an incubator, or preferably a radiant heat source).
- iii) Equipment with the ability ~~Ability~~ to monitor blood sugar frequently. (Dextrostix)
- iii) A resuscitation ~~Resuscitation~~ tray containing at least laryngoscope ~~laryngoscope~~, 0 and 1 size blades, endotracheal tubes of various neonatal sizes, infant size positive pressure bag and appropriate sized masks, gavage tubes, and an umbilical vessel

catheterization tray.

(iv) Equipment for delivery of 100% oxygen concentration, and the ability to measure delivered oxygen in fractional inspired concentrations (FIO_2). The oxygen analyzer shall be calibrated and serviced at least monthly by the hospital's respiratory therapy department or other responsible personnel trained to perform the task.

F) Consultation and Referral Protocols

11/17/74 Each primary care nursery shall have a clearly designated Level II and/or Level III nursery to which it refers patients and from which it seeks consultation and advice. The telephone number of the Level II and/or Level III nursery and the name of the nursery director shall be posted in the nursery. A log of communication between the general nursery and the referral nursery shall be maintained by the head nurse of the general nursery.

[illegible]

iii)++ Protocols for management of certain disease states, and for consultation and referral shall be developed by the nursery director in conjunction with the director of the ~~Health-III-of~~ Level II or Level III unit to which referrals are sent.

iii)++ These protocols shall spell out details for local management of disease states and specific transfer criteria. These protocols shall be maintained in the nursery.

2) Intermediate and Intensive Care Nurseries shall meet all Area 1 of the conditions described above that be in place except that infant cribs shall be separated by four to six feet of space to allow for ease of movement of additional personnel, and to allow space for additional equipment used in care of infants in these areas. There should be 80 to 100 square feet of space for each infant cared for in the Level III or Intensive Care area.

Integration-facilities

3) Facilities shall be available for the immediate isolation of all newborn infants who have or are suspected of having an infectious disease.

4) When an infectious condition is thought to exist, the infant shall be isolated in accordance with policies and procedures established and approved by the hospital and consistent with recommended procedures of ACOG, AAP, and the "Control of Communicable Diseases Code" (77-441-AAG-Code-600).

f) ~~Personnel for care of mothers and infants.~~ The personnel requirements and recommendations set forth in Subpart D apply to the operation of the maternity department ~~also~~ in addition to the following:

- ### 1) Nursing Staff - General Requirements

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A) Nursing supervision by a registered professional nurse shall be provided for the entire twenty-four (24) hour period for each occupied unit of the maternity and neonatal services. This nurse shall have education and experience in maternity and/or neonatal nursing.

B) At least one maternity and/or neonatal nurse trained in maternity and nursery care shall be assigned to the care of mothers and infants at all times. When infants are present in the nursery at least one person trained to give care to the newborn infants shall be assigned at all times to the nursery with duties restricted to the care of the infants. (Struck through: never be left unattended.)

C) A registered professional nurse must be in attendance at all deliveries, and must be available to monitor the mother's general condition and that of the fetus during labor and for at least two hours after delivery and longer if indicated by the staff.

D) Nursing personnel providing care for obstetric and other patients shall be instructed on a continuing basis in the proper technique to prevent cross-infection. When necessary for the same nurse to care for both maternity and nonmaternity patients in the gynecologic unit, proper technique shall be followed ~~as needed~~.

E) Nursing personnel are only permitted to be assigned to the maternity/neonatal division for an entire shift.

F) ~~For each shift, the maternity/neonatal division by qualified personnel shall be permitted as necessary, according to appropriate infection control policy.~~

G) Nursing Staff - Level I or Primary Care for occupied units - These units shall meet the following requirements in addition to General Care Requirements in Section 250.1830(f)(1).

A) Labor and Delivery Unit Staffing shall ~~be~~ planned to ensure that the total nursing personnel on each shift is equal to one-half the average number of deliveries per 24 hours. At least half of the personnel on each shift shall ~~be~~ be R.N.s, and at no time shall ~~be~~ the nursing staff on any shift be ~~fewer~~ less than two. The nursing staff of the labor and post delivery recovery area shall ~~be~~ not have other responsibilities in the labor/delivery suite except for emergencies.

B) Postpartum and General Care Newborn Unit

i) If these units are organized as separate nursing units, staffing should be based on a formula of one nursing personnel per six to eight 6-8 patients and ~~should be the R.N. per unit per shift.~~

ii) If the units are combined as a rooming-in or modified rooming-in unit, the nursing staff shall ~~be~~ should be planned to provide one nursing personnel per four

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mother baby units and shall ~~be~~ should never be staffed at ~~fewer~~ less than two nursing personnel per shift. One ~~shall~~ should be a registered professional nurse (R.N.).

C) At least one member of the nursing staff on each shift, who is skilled in cardiopulmonary resuscitation of the newborn, must be immediately available to the delivery suite and newborn nursery area.

D) Changes in medical staff regulations, where applicable, shall ~~be~~ should be provided to permit the perinatal medicine service to fully utilize the services of specially trained paramedical and nursing personnel where these personnel are needed and/or desired.

3) Nursing Staff - Level II Intermediate Perinatal Care Requirements - These units shall meet the following requirements in addition to General Care Requirements in Section 250.1830(f)(1).

A) Labor and Delivery delivery shall include at least one registered professional nurse on each shift who must be competent in the use of continuous electronic fetal monitoring techniques.

B) Intermediate Care Nursery

i) A staffing ratio of one licensed nursing personnel per three or four infants must be available.

ii) Nursing personnel may be shared with the general care nursery as needed.

iii) There must never be ~~fewer~~ less than two licensed nursing personnel available in the general and intermediate care nurseries, at least one of whom is an ~~attended-registered professional nurse-t R.N.~~ attended-registered professional nurse-t R.N.

4) Nursing Staff - Level III Tertiary Perinatal Care - These units shall meet the following requirements in addition to Intermediate Care Requirements in Section 250.1830(f)(3).

A) Staffing patterns on each shift must be such that a 1:1 ratio between patients who require intensive care during labor and delivery and a registered professional nurse who is competent, by virtue of training and/or experience, in the care of high risk obstetric patients can be maintained as necessary. A ratio of at least one registered professional nurse to 1 1/2 patients shall be maintained at all times.

B) Neonatal intensive care nursing on a 1:1 basis must be available as indicated. A ratio of at least one registered professional nurse to 1 1/2 patients shall be maintained at all times.

5) Medical Personnel

A) Level I or Primary Care:

i) One physician should be Chief of Neonatal Care. He or

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she should be a board certified pediatrician. Where this is not possible, a physician with experience and regular practice may be the Chief and responsible for neonatal care, and a source of pediatric and/or neonatology consultation shall should be documented.

ii) The director of obstetrical service should be a board certified obstetrician. Where this is not possible, a physician with experience and regular practice may be Chief and responsible for obstetric care, and a source of obstetric consultation shall should be documented.

B) Level II or Intermediate Care:

i) A board certified pediatrician with special interest and training in neonatal/perinatal medicine or a certified neonatologist should be Chief of Neonatal Care. A board certified obstetrician should be Chief of Obstetrical Care. Obstetrical anesthesia should be directed by a board certified anesthesiologist with experience and competence in obstetrical anesthesia. Hospital staff should also include a pathologist and an "on call" radiologist 24 hours a day. Specialized medical and surgical consultation shall should be readily available.

ii) Other staff: Laboratory and X-ray technicians in the hospital shall should be readily available at all times. In addition, a respiratory therapist may be part of the staff.

C) Level III or Intensive Care:

i) The Chief of Neonatal Pediatrics should be eligible for certification by the American Board of Pediatrics, subspecialty board of neonatal/perinatal medicine, and is responsible for care in intensive care areas. Only physicians eligible for certification in neonatal/perinatal medicine shall should be responsible for care of infants in the Intensive Care area, but other physicians should be encouraged to participate. The Chief shall should be full-time with the hospital service. There shall should be sufficient number of qualified or certified neonatologists to assure availability of such care at all times. The chief of obstetric/perinatal service at the Level III facility shall should be a board certified obstetrician and preferably certified in fetal/maternal medicine.

ii) Pediatric medical and surgical subspecialists must be available for consultation. An anesthesiologist with special training in maternal fetal and neonatal anesthesia must be in charge of anesthesia services. A pathologist and radiologist with experience in

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interpretation of radiographs of neonatal patients shall should be members of the hospital staff.

6) Nutritionist Staff

A) For Level II units a registered dietitian with professional experience and/or course work that which relates to perinatal maternal and newborn dietary management should be available.

B) For Level III units a registered dietitian with professional experience and/or course work that which relates to perinatal maternal and newborn dietary management shall be available.

g) Practices and procedures for care of mothers and infants

1) The hospital shall effect all necessary precautionary measures against the admission to the maternity department of actual or suspected infectious patients.

2) Patients with clean obstetric complications (regardless of month of gestation) such as toxemia of pregnancy for observation and treatment, placenta praevia for observation or delivery, atopic pregnancy, and hypertensive heart disease in a pregnant patient, may be admitted to the maternity department and be under the same rules and regulations as any other maternity case. Refer to Section 250.1820(n)(6)(B).

3) The physician shall determine whether a prenatal serological test for syphilis has been done on each mother and the results recorded. If no such test has been done before the admission of the patients, the test shall be performed as soon as possible. Specimens may be submitted in appropriate containers to an Illinois Department of Public Health laboratory for testing without charge.

4) No maternity patient under the effect of an analgesic or an anesthetic, in active labor or delivery, shall be left unattended at any time.

5) Fetal maturity shall should be established and documented prior to elective inductions and Cesarean sections. There shall be a written policy and procedure established by the hospital concerning the administration of oxytocic drugs.

A) Oxytocin should be used for the contraction stress challenge test only when qualified personnel, determined by the hospital staff and administration, can attend the patient closely. Written policies and procedures shall should be available to the team members assuming this responsibility. It is recommended that Oxytocin should be administered by controlled infusion.

B) Oxytocin shall should be used for medical induction or stimulation of labor only when qualified personnel, determined by the hospital staff and administration, can attend the patient closely. Written policies and procedures shall should be available to the team members assuming this

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recommended that the following be
1. ... should evaluate the patient
ii. ... or other individuals starting the
... should be familiar with its effect and
... be qualified to identify both
... complications.

11) A qualified physician shall should be immediately
available as is necessary to manage any complication

i) The intra ... mode of
... infusion
pump, or ... of the rate

During ...
and inter ...
and pulse ... at intervals
... at 30-60 ...
... Evidence of

... the newborn is still in the
... the mother's
... the date and time
... the nurse
... preparing
... the newborn
... should
... physician
... the nursery,
... the admitting nurse should
... verify the
... the newborn's record. The
... attach
... the newborn is shown to the
... the information on the

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identification bands and the sex of the neonate. It is
imperative that delivery room and nursery personnel be
meticulous in the preparation and placement of neonate
identification cards."

B) "Footprinting and fingerprinting have in the past been
recommended for purposes of neonate identification.
Techniques such as sophisticated blood typing are now
available and appear to be more reliable. If utilized,
dermatoglyphics should be done carefully. Individual
hospitals may want to continue with footprinting and
fingerprinting, but universal use of this practice is no
longer recommended."

7) Prevention of opthalmia neonatorum Within one hour after
delivery, a one percent silver nitrate solution or opthalmic
ointment or drops containing tetracycline or erythromycin shall
be instilled into the eyes of the newborn infant as a preventive
against opthalmia neonatorum. Do not irrigate immediately. This
solution may be obtained free of charge from the Department
of Public Health.

8) Bathing--Each infant shall be given complete individual
cribside care. The use of a common bath table is prohibited.
Scales shall be adequately protected to prevent cross-infection.
9) Artificial feeding--Artificial feedings and formula changes shall
not be instituted except by written order of the attending
physician.

10) Facilities for drug services. Refer to Section 250.2130(a).

11) Transport of newborn infants from the delivery room to the
nursery shall be done in a safe manner. Transport of
infants--Newborn infants--shall be transported from the delivery
room to the nursery safely--transport should be in a heated
incubator. Adequate support systems (heating, oxygen, suction)
shall be incorporated into the transport units for these infants
(e.g., to x-ray). Chilling of the newborn and cross-infection
must be avoided. Where travel is excessive and through other
areas, special transport incubators may be required. The method
of transporting infants from the nursery to the mothers shall be
individual, safe and free from cross-infection hazards.

12) The stay of the mother and the baby in the hospital after
delivery should be planned to allow the identification of
problems and to reinforce instructions in preparation for the
infant's care at home. The mother and infant shall be carefully
observed for a sufficient period of time and assessed prior to
discharge to ensure that their conditions are stable. Healthy
infants should be discharged from the hospital simultaneously
with the mother or to other authorized (by the mother) personnel
should the mother remain in the hospital for an extended stay.
It is recommended that there be a provision for follow-up for the
mothers and babies discharged within 24 hours. This follow-up

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should include a face-to-face encounter with a health care provider who will assess the condition of mother and baby and arrange for intervention if problems are identified. Stay of baby--it-is-preferred-that-recorders-be-observed-for-4-to-12 hours--prior-to-discharge--Normal--healthy--infants-should-be discharged-from-the-hospital-simultaneously-with-the-mother-or-to other-authorized-by-the-mother--personnel--should--the-mother remain-in-the-hospital-for-an-extended-stay.

13) When a patient's condition permits, an infant may be transferred from an intensive care nursery to the referring nursery or to another nursery that which is nearest the home and at which an appropriate level of care may be provided.

14) ~~Ritual-circumcision~~-Circumcisions by a Mohel shall be performed under aseptic conditions. Such circumcisions shall not be performed in the delivery room. A registered nurse or physician shall be in attendance and attendance by visitors shall be limited.

15) A single parenteral dose of vitamin Vitamin K-1, water soluble 0.5 mgm, shall ~~should~~ be given to the infant soon after birth as a prophylaxis against hemorrhagic disorder in of the first days of life.

16) Circumcisions shall not be done under-any-circumstances in the delivery room or within the first six hours after birth. A and shall-be-delayed-ordinarily-until-the-age-of-12-hours--providing the-infant-is-in-stable-condition--Circumcisions-may-be-performed-and-performed-by-a-physician may order and perform a circumcision when the infant is over the age fit-tensured-to-practice-medicine-in ~~at-its-practice-between-the-ages of 6 hours and is healthy and stable and-12-hours-only-when in his/her the physician's professional judgment the facts-do-not-require-a-delay-to-a-later point-in-time.~~

17) The hospital shall ~~it-is-recommended-that-hospitals~~ adhere to the practices prescribed in the current 1995 edition of the American Academy of Pediatrics publication entitled, "Standards and Recommendations for Hospital Care for of Newborn Infants," and the American College of Obstetricians and Gynecologists publication, "Standards for Obstetric- ~~Obstetric-Gynecologic Services Hospital-Standards."~~

h) Medical Records

1) Obstetric records-

A) For each patient there shall be adequate, accurate, and complete medical records. The medical records shall include findings during the prenatal period which should be available in the maternity department prior to the patient's admission and shall include medical and obstetric history, observations and proceedings during labor, delivery and the postpartum period, and laboratory and x-ray findings.

B) Records shall be maintained in accordance with the minimum

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Minimum observations and laboratory tests outlined in the ~~most-current~~ 1989 edition of the "Manual of Standards," American College of Obstetricians and Gynecologists--will-be met. The physician director of the maternity Department shall require all physicians delivering obstetrics care to send copies of the prenatal records to the obstetrical unit at or before 37 weeks gestation.

2) Infant records. For each infant there shall be accurate and complete medical records. The medical records shall include:

A) History of maternal health and prenatal course.

B) Description of labor, including drugs administered, method of delivery, complications of labor and delivery, and description of placenta and amniotic fluid.

C) Time of birth and condition of infant at birth, including Apgar score at one and five minutes, age respiration became spontaneous and sustained, description of resuscitation if required, description of abnormalities and problems occurring from birth until transfer from the delivery room.

D) Report of a complete and detailed physical examination within 24 hours following birth; report of a medical examination within 24 hours of discharge and one at least every three days during the hospital stay.

E) Physical measurements including length, weight and head circumference at birth and weight every day; temperature twice daily--~~started~~.

F) Documentation of infant feeding: intake, content, and amount if by formula.

G) Clinical course during hospital stay including treatment rendered and patient response; clinical note of status at discharge. ~~Reference--"Standards-and-Recommendations-for Hospital-Care-of-Newborn-Infants"--American-Academy-of-Pediatrics--and--the--American-College-of-Obstetricians-and-Gynecologists--Publication--"Standards--for-Obstetric-Gynecologic-Hospital-Standards."~~

3) Register--~~of-births~~--The hospital shall keep a record of births that which contains data sufficient to duplicate the birth certificate. The requirement may be met:

A) by retaining the yellow "hospital copy" of the birth certificate properly bound in chronological order, or
B) by retaining this copy with the individual medical record.

i) Reports

1) ~~Prenatal-Activities-Report~~ Each hospital that provides maternity service shall submit a monthly perinatal activities report on forms provided for this purpose by the Department. This report shall be signed by a representative of the department preparing the document. ~~the-administrator-and-the-obsetric-nursing-supervisor~~ and shall be mailed not later than the fifteenth ~~of the following month. Refer-to-Section-250-1939(f).~~

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2) Maternal Death Report

A) The hospital shall submit an immediate report of the occurrence of a maternal death to the Department. A death shall be reported when it involves any condition associated with gestation, such as normal pregnancy, abortion, or ectopic pregnancy, regardless of whether the death occurred in the maternity division or any other section of the hospital, or whether the patient was delivered in the hospital where death occurred, or elsewhere. This report shall also be made on the death of any woman within 90 days following the termination of a pregnancy.

B) The filing of this report shall in no way preclude the necessity of filing a death certificate or of including the death on the Maternity Activities Report.

3) Birth, Stillbirth, and Death Certificates: The hospital shall comply with the laws of the State and the regulations of the Department as regards the preparation and filing of birth, stillbirth, and death certificates.

4) Epidemic and Communicable Disease Reporting

A) ~~Statutes of the newborn~~
~~1) Statutes of the newborn are defined as:~~
~~in any infant of four or more years of age or~~
~~otherwise pathologic in twenty-four hours~~
~~with or without weight loss and~~
~~illnesses.~~

~~2) The occurrence of two or more cases of diarrhea as defined above constitutes an epidemic. The administrator of the hospital must report at once to both the local health authority and to the Illinois Department of Public Health by telephone or telegram. The regulations for the control of cases and contacts are set in the Department's rules entitled Control of Communicable Diseases Code 177-Adm-Code-6997 and at a reference made a part of these regulations.~~

B) ~~Other epidemic infections~~
~~The occurrence of a diagnosed case of the following shall be reported to the local health officer:~~
~~1) Two or more cases of impetigo-contagiosa~~
~~other skin infection shall be reported in the same manner as~~
~~for diarrhea. The occurrence of two or more~~
~~epidemiologically treated infections of erysipelas~~
~~enteric fever, scarlet fever, and salmonella shall be~~
~~reported to the Illinois Department of Public Health.~~

C) ~~Epidemic and Communicable Diseases in the newborn infant shall be reported as required by the Department's rules entitled Control of Communicable Diseases Code 177-Adm-Code-6997.~~

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A) ~~The hospital shall develop a protocol for management and reporting of infections described above and others such as hepatitis and rubella to protect the mother and infant. The procedures must be consistent with the Department's rules entitled Control of Communicable Diseases Code 177-Adm-Code-6997 and with policies and procedures described by the Academy of Pediatrics in "Standards and Recommendations for Hospital Care for the Newborn in-Hospital Infants" and as approved by the Infection Control Committee. "Report of the Committee on Infections in-Hospital" and with SPSHS isolation techniques for use in-Hospital." These policies shall be known to maternity and nursery personnel.~~

B) ~~The facility shall particularly address those infections specifically related to mothers and infants, including but not limited to diarrhea of the newborn, staphylococcal infections occurring in infants under 28 days of age, and opthalmia neonatorum.~~

j) Formula

1) If pasteurized, commercially prepared formula is used exclusively and no formula is prepared by the hospital, a formula room and formula room equipment are not required; however, adequate space, equipment and procedures acceptable to the Department for processing, handling and storing of commercially prepared formula shall be provided. Procedures and aseptic techniques shall be established and enforced. Provisions must be made for the preparation of special formula.

2) All hospitals providing maternity or pediatric services, which prepare their own formula, shall provide a well-ventilated and well-lighted formula room which shall be adequately supervised and used exclusively for the preparation of formulas.

3) Equipment shall include handwashing facilities with hot and cold running water with knee, foot or elbow controlled valves; a double section sink for washing and rinsing bottles; facilities for storing cleaning equipment, refrigeration facilities; utensils in good condition for preparation of formulas; cupboard and work space and a work table; an autoclave and a supply of individual formula bottles, nipples and protecting caps, adequate to prepare a 24-hour supply of formula and water for each infant. Procedures shall be established by the hospital and enforced.

k) Visiting regulations

1) The visiting regulations set forth in Subpart B shall apply to maternity departments, except as modified in this subsection Part.

2) It is recommended that visitors be limited to two per patient at any one time.

3) Contact with the infant shall be restricted to the father, or one

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other adult selected by the mother, except as provided in subsection (k)(4) of this Section or as part of a rooming-in program as provided in Section 250.1850.

- 4) Siblings and grandparents may have contact with the infant only if the hospital has established specific policies and procedures for such a program. The program must include:

- A) Approval of the program by the hospital's Infection Control Committee and Governing Board;
- B) A requirement for written consent of the mother for visitation by specific siblings or grandparents;
- C) A procedure for handwashing of visitors prior to having contact with the infant; and

- D) A policy on the location where visitation will occur.

- 5) The presence of the father or individual selected by the mother in the delivery room shall be discretionary with the individual in hospital. If the father or the individual selected by the mother of the baby is to be admitted to the delivery room of any hospital, the hospital shall first have adopted a policy statement in the mother post partum, among other things, establishes the following conditions:

- A) written consent of both the mother and the attending physician;
- B) prior orientation preparation of the father of the baby or the selected individual and mother to this experience; and
- C) application of safeguards against the introduction of infection or other hazard by the father of the baby or selected individual.

- 6) Smoking shall be prohibited in the delivery rooms, nurseries, and corridors and other areas in accordance with facility policy. (Refer to Section 250.250(g).)

- 7) Visiting hours shall not correspond with periods during which infants are with the mothers or not with periods during which mothers are receiving nursing care, nor or interfere with the care of patients.

- 8) Visitors shall neither sit nor place their clothing upon the beds.

- 1) Every hospital shall demonstrate to the Department that the following have been adopted:

- 1) Procedures designed to reduce the likelihood that an infant patient will be abducted from the hospital. The procedures may include, but need not be limited to, architectural plans to control access to infant care areas, video camera observation of infant care areas, and procedures for identifying hospital staff and visitors.

- 2) Procedures designed to aid in identifying allegedly abducted infants who are recovered. The procedures may include, but need not be limited to, fingerprinting infants by staff who have been trained in that procedure, photographing infants, and obtaining

and retaining blood samples for genetic testing. (Section 6.15 of the Act)

(Source: Amended 20 Ill. Reg. **3234**, effective
FEB 15 1986)

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1) Heading of the Part: Illinois Home Health Agency Code

2) Code Citation: 77 Ill. Adm. Code 245

3) Section Numbers: Adopted Action:

245.20 Amendments
245.25 Amendments
245.30 Amendments
245.40 Amendments
245.50 Amendments
245.70 Amendments

4) Statutory Authority:

Home Health Agency Licensing Act
[210 ILCS 55]

5) Effective Date of Rules: February 15, 1996

6) Does this Rulemaking Contain an Automatic Repeal Date? No

7) Does this Rulemaking Contain Any Incorporations By Reference? Yes

8) Date Filed in Agency's Principal Office: February 15, 1996

9) Date Notice(s) of Proposal was Published in Illinois Register:

August 4, 1995 - 19 Ill. Reg. 11325

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? No

11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

1. In lines 89-91, place all text through "defined" in italic type.
2. Add at the end of line 113: "A person may not be employed as a home health aide unless he/she meets the requirements of Section 245.70 of this Part."
3. In line 253, add "s" to "result."
4. In line 269, add "by reference" after "incorporated"; add "and apply only to Medicare certified agencies" after "Part".

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5. In line 273, strike out "January 1, 1991" and insert "53 Federal Register 65482-65498, December 20, 1994".

6. In lines 55-56 and 302-303, strike out "Minimum Qualifications for Personnel Employed by Local Health Departments" and insert "Certified Local Health Department Code"

7. In line 307, delete "d)" and insert "b)".

8. In line 386, add a hyphen between "family" and "centered".

9. In line 453, strike out the comma after "any".

10. In line 454, strike out "which" and insert "that".

11. After line 552, add the following, underlined:

8) Supervision of the social work assistant shall include the following:

A) A licensed social worker must be accessible by telephone to the social work assistant at all times while the social work assistant is treating patients.

B) On-site supervision should take place every four to six visits. The supervisory visits may be made either when the social work assistant is present so that the supervisor may observe and assist, or when the social work assistant is absent so that the supervisor may assess relationships and determine whether goals are being met.

C) Supervision does not constitute treatment.

D) The supervisory visit should include a complete on-site assessment, an on-site review of activities with appropriate revision of treatment plan, and an assessment of the utilization of outside resources.

12. After line 571, add the following, underlined:

6) Supervision of the occupational therapy assistant shall include the following:

A) A licensed occupational therapist must be accessible by telephone to the occupational therapy assistant at all times while the occupational therapy assistant is treating patients.

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B) On-site supervision should take place every four to six visits. The supervisory visits may be made either when the occupational therapy assistant is present so that the supervisor may observe and assist, or when the occupational therapy assistant is absent so that the supervisor may assess relationships and determine whether calls are being met.

C) Supervision does not constitute treatment.

D) The supervisory visit should include a complete on-site functional assessment, an on-site review of activities with appropriate revision of treatment plan, and an assessment of the utilization of outside resources.

13. In line 620, ~~strike~~ out "registered" and insert "licensed".

14. In lines 896-899, strike out "except as otherwise provided by law, no public record shall be disposed of by any officer or agency unless the written approval of the appropriate Local Records Commission is first obtained." and insert "EXCEPT AS OTHERWISE PROVIDED BY LAW, NO PUBLIC RECORD SHALL BE DISPOSED OF BY ANY OFFICER OR AGENCY UNLESS THE WRITTEN APPROVAL OF THE APPROPRIATE LOCAL RECORDS COMMISSION IS FIRST OBTAINED. (*italic type*) [Section 7 of the Local Records Act (50 ILCS 205.7)."

Various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect? No

14) Are there any other Amendments Pending on this Part? Yes

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
245.72	New Section	20 Ill. Reg. 214

15) Summary and Purpose of Rules:

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The rules in Part 245 establish licensure requirements for home health agencies in Illinois.

Section 245.20 (Definitions) is being amended to add definitions for Act, Audiologist, and Podiatrist. Definitions for Home Health Aide and Medicaid Social Worker are amended, and citations are updated.

Section 245.25 (Incorporated and Referenced Materials) is being amended to include ILCS citations. The format is changed to comply with the format preferred by the Joint Committee on Administrative Rules. Application of federal regulations is clarified.

Section 245.30 (Organization and Administration) is amended to replace reference to a "public health nurse" with a requirement for completion of a baccalaureate degree program approved by the National League for Nursing and at least one year of nursing experience.

Section 245.40 (Staffing and Staff Responsibilities) is being amended to include references to services provided by podiatrists. The Department recognizes that it is appropriate for podiatrists to write orders for home health care services. Requirements for supervision of social work assistants and occupational therapy assistants are added.

Section 245.50 (Services) includes the addition of references to services provided by podiatrists. Requirements for a continuing review of clinical records are changed from each 60 day to each 62 day period that a patient received home health services. A provision is added for the use of faxed copies of clinical records.

Section 245.70 (Requirements for State Approved Home Health Aide Training Programs) is amended to bring training program requirements in line with the Department's nurse aide training rules in 77 Ill. Adm. Code 395. Provisions that duplicate those in Part 395 are deleted. Home health aides will be required to complete training program course work and pass the Department-approved competency examination no later than 120 days after the date of initial employment, unless the training program is conducted by a community college or other educational institution on a term, semester, or trimester basis. Successful completion of a U.S. military nurse aide training program is added as an option to establish equivalency. Home Health agencies may not employ home health aides before contacting the Nurse Aide Registry concerning findings of abuse, neglect or misappropriation of property.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito
Division of Governmental Affairs

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Department of Public Health
535 West Jefferson, Fifth Floor
Springfield, Illinois 62761
217/782-6187.

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER b: HOSPITAL AND AMBULATORY CARE FACILITIES

PART 245

ILLINOIS HOME HEALTH AGENCY CODE

SUBPART A: GENERAL PROVISIONS

Section	Purpose
245.10	Definitions
245.20	Incorporated and Referenced Materials
245.25	

SUBPART B: OPERATIONAL REQUIREMENTS

Section	
245.30	Organization and Administration
245.40	Staffing and Staff Responsibilities
245.50	Services
245.60	Annual Financial Statement
245.70	Requirements for State-Approved Home Health Aide Training Programs

SUBPART C: LICENSURE PROCEDURES

Section	
245.80	Licensure Required
245.90	License Application
245.100	Provisional License
245.110	Inspections and Investigations
245.120	Violations
245.130	Adverse Licensure Actions
245.140	Penalties and Fines
245.150	Hearings

AUTHORITY: Implementing and authorized by the Home Health Agency Licensing Act [210 ILCS 55].

SOURCE: Adopted at 2 Ill. Reg. 31, p. 77, effective August 2, 1978; emergency amendment at 3 Ill. Reg. 38, p. 314, effective September 7, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 40, p. 153, effective October 6, 1979; emergency amendment at 4 Ill. Reg. 18, p. 129, effective April 21, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 40, p. 56, effective September 23, 1980; emergency amendment at 6 Ill. Reg. 5855, effective April 28, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 11006, effective August 30, 1982; amended at 7 Ill. Reg. 13665, effective October 4, 1983; codified at 8 Ill. Reg. 16829; amended at 9 Ill. Reg. 4836, effective April 1, 1985; amended at 14 Ill.

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Reg. 2382, effective February 15, 1990; amended at 15 Ill. Reg. 5376, effective May 1, 1991; amended at 18 Ill. Reg. 2414, effective January 22, 1994; amended at 20 Ill. Reg. 3273, effective FEB 15 1996.

SUPPLEMENT A: GENERAL PROVISIONS

Section 245.20 Definitions

Act - the Home Health Agency Licensing Act (210 ILCS 55).

"Administrator" - shall be any one of the following:

a physician;

a registered nurse;

an individual with at least one year of supervisory or administrative experience in home health care or in related health provider programs; or

an individual who meets the requirements for Public Health Administrator as contained in 77 Ill. Adm. Code 600.300 of the Certified Local Health Department Code "Minimum Qualifications for Code Personnel-Employed by Local Health Departments" 77 Ill. Adm. Code 600) as promulgated by the Department.

"Agency" - a refers to Home Health Agency, unless otherwise designated.

Audiologist - a person who has received a license to practice audiology pursuant to the Illinois Speech-Language Pathology and Audiology Practice Act (225 ILCS 110).

"Branch Office" - a location or site from which a home health agency provides services within a portion of the total geographic area served by the parent agency. The branch office is part of the home health agency and is located sufficiently close to share administration, supervision and services in a manner that renders it unnecessary for the branch independently to meet the conditions of participation as a home health agency.

"Bylaws or Equivalent" - a set of rules adopted by a home health agency for governing the agency's operation.

"Clinical Note" - a dated, written notation by a member of the health team of a contact with a patient containing a description of signs and symptoms, treatment and/or drug given, the patient's reaction and any changes in physical or emotional condition.

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"Clinical Record" - an accurate account of services provided for each patient and maintained by the agency in accordance with accepted professional standards.

"Department" - The Department of Public Health of the State of Illinois. (Section 2.01 of the Act)

"Director" - the Director of Public Health of the State of Illinois, or his designee. (Section 2.02 of the Act)

"Discharge Summary" - the written report of services rendered, goals achieved and final disposition at the time of discharge from service.

"Geographic Service Area" - the area from which patients are drawn. This area is to be clearly defined by readily recognizable boundaries.

"Home Health Agency" - a public agency or private organization which provides skilled nursing services and at least one other home health service as defined in this Part. (Section 2.04 of the Act)

"Home Health Aide" - a person who shall have training in these supportive services which are required to provide personal care and emotional comfort and to assist the patient toward independent living in a safe environment. Persons employed as home health aides shall be selected on the basis of such factors as emotional and mental maturity, interest and sympathetic attitude toward caring for the sick, willingness to cooperate in a continuous learning process, and the ability to communicate through reading, writing and carrying out instructions. On and after August 1, 1997 every agency employing home health aides shall insure through verification that all newly employed home health aides have completed a course of instruction in the course content and shall meet guidelines established by the Department. The agency shall submit a true-through verification that all incumbent home health aides shall have completed the course before the date of the verification. The agency shall have measures to ensure the competency of the aides and shall have performance tests shall meet guidelines established by the Department. The performance tests shall be administered by the Department. The agency shall submit a true-through verification that all incumbent home health aides shall have completed the course before the date of the verification. The agency shall employ by the agency. A person may not be employed as a home health aide unless he/she meets the requirements of Section 245.70 of this Part.

"Home Health Services" - services provided to a person at his residence according to a plan of treatment for illness or infirmity prescribed by a physician or podiatrist. Such services include part-time and intermittent nursing services and other therapeutic services such as physical therapy, occupational therapy, speech

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therapy, medical social services or services provided by a home health aide. (Section 2.05 of the Act)

"Licensed Practical Nurse" - a person currently licensed as a licensed practical nurse under the Illinois Nursing Act of 1987 (111-Rev-Stat-1989-ch-111-par-3531-et-seq) [225 ILCS 65].

"Medical Social Worker" - a person who has a master's degree from a school of social work accredited by the Council on Social Work Education currently licensed in the State of Illinois is a licensed social worker or a licensed clinical social worker under the Clinical Social Work and Social Work Practice Act [225 ILCS 20] and has one year of social work experience in a health care setting.

"Occupational Therapist" - a person who is licensed as an occupational therapist under the Illinois Occupational Therapy Practice Act [225 ILCS 75] (111-Rev-Stat-1989-ch-111-par-3701-et-seq) and meets one or more of the following requirements:

is a graduate of an occupational therapy curriculum accredited jointly by the Council on Medical Education of the American Medical Association and the American Occupational Therapy Association, or

is eligible for the National Registration Examination of the American Occupational Therapy Association, or

has two years of appropriate experience as an occupational therapist and has achieved a satisfactory grade on a proficiency examination conducted, approved or sponsored by the U.S. Public Health Service, except that such examinations of proficiency do not apply with respect to persons initially licensed by a state or seeking initial qualification as an occupational therapist after December 31, 1977.

"Occupational Therapy Assistant" - a person who is licensed as an occupational therapy assistant under the Illinois Occupational Therapy Practice Act (111-Rev-Stat-1989-ch-111-par-3791-et-seq) and meets one or more of the following requirements:

meets the requirements for certification as an occupational therapy assistant established by the American Occupational Therapy Association, or

has two years of appropriate experience as an occupational therapy assistant and has achieved a satisfactory grade on a proficiency examination conducted, approved or sponsored by the U.S. Public Health Service, except that such determinations of

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proficiency do not apply with respect to persons initially licensed by a state or seeking initial qualification as an occupational therapy assistant after December 31, 1977.

"Part Time or Intermittent Care" - home health services given to a patient at least once every 60 days or as frequently as a few hours a day, several times per week.

"Patient" - a person who is under treatment or care for illness, disease, injury or conditions appropriately responsive to home health services to maintain health or prevent illness.

"Patient Care Plan" - a coordinated and combined care plan prepared by and in collaboration with each discipline providing service to the patient, to the patient's family, or to both.

"Person" - any individual, firm, partnership, corporation, company, association or any other legal entity. (Section 2.03 of the Act)

"Physical Therapist" - a person who is licensed as a physical therapist under the Illinois Physical Therapy Act [225 ILCS 20] (111-Rev-Stat-1989-ch-111-par-4251-et-seq) and who meets the qualifications for a physical therapist under the Federal Conditions of Participation for Home Health Agencies established by the Health Care Financing Administration. (42 CFR 484.1 through 484.40).

"Physical Therapist Assistant" - a person who is licensed as a physical therapist assistant under the Illinois Physical Therapy Act (111-Rev-Stat-1989-ch-111-par-4251-et-seq) and who meets the qualifications for a physical therapist assistant under the Federal Conditions of Participation for Home Health Agencies established by the Health Care Financing Administration (42 CFR 484.1 through 484.40).

"Physician" - Any person licensed by the Illinois Department of Professional Regulation to practice medicine in all of its branches under the Medical Practice Act of 1987 [225 ILCS 60] (111-Rev-Stat-1989-ch-111-par-4491-et-seq). For a patient who has received medical care in another state, or has moved from another state, and who has not secured the services of a physician licensed in Illinois, an individual who holds an active license to practice medicine in another state will be considered by the physician for the patient during this emergency (as determined by the physician) as provided in Section 3 of the Medical Practice Act of 1987 (111-Rev-Stat-1989-ch-111-par-4491-3). Such an emergency may not extend more than six months in any case.

"Plan of Treatment" - a plan based on the patient's diagnosis and the

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assessment of the patient's immediate and long-range needs and resources. The plan of treatment is established in consultation with the home health services team, which includes the attending physician or podiatrist, pertinent members of the agency staff, the patient and members of the family.

Podiatrist - a person who is licensed to practice under the Podiatric Medical Practice Act of 1987 [225 ILCS 100].

"Professional Advisory Group" - a group composed of at least one practicing physician, one registered nurse (preferably a public health nurse), and with appropriate representation from other professional disciplines that ~~water~~ are participating in the provision of home health services. It is highly recommended that a consumer be a member of the group. At least one member of the group is neither an owner nor an employee of the agency.

"Progress Notes" - a dated, written notation by a member of the health team, summarizing facts about care and the patient's response during a given period of time.

"Public-Health-Nurse" - a registered nurse who has completed a baccalaureate degree program approved by the National League for Nursing for public health nursing preparation.

"Purchase of Services/Contractual" - the provision of services through a written agreement with other providers of services.

"Registered Nurse" - a person who is currently licensed as a registered nurse under the Illinois Nursing Act of 1987 [225 ILCS 65] ~~with Rev. Stat. 1987, ch. 117, par. 3501 et seq.~~

"Social Work Assistant" - a person who has a baccalaureate degree in social work, psychology, sociology, or other field related to social work and has had at least one year of social work experience in a health care setting; or has two years of appropriate experience as a social work assistant and has achieved a satisfactory grade on a proficiency examination conducted, approved or sponsored by the U.S. Public Health Service, except that such determinations of proficiency do not apply with respect to persons initially licensed by a state or seeking initial qualifications as a social work assistant after December 31, 1977.

"Speech-Language Pathologist or Audiologist" - a person who is licensed as a speech-language pathologist or as an audiologist under the Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110] ~~with Rev. Stat. 1989, ch. 117, par. 7901 et seq.~~

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"Student" - an individual who is enrolled in an educational institution and who is receiving training in a health-related profession.

"Subdivision" - a component of a multi-function health agency, such as the home care department of a hospital or the nursing division of a health department, which independently meets the federal conditions of participation for home health agencies. A subdivision that ~~which~~ has branches is regarded as a parent agency.

"Substantial compliance" or "substantially meets" - meeting requirements except for variance from the strict and literal performance, which results ~~result~~ in unimportant omissions or defects given the particular circumstances involved.

"Subunit" - a semi-autonomous organization, which serves patients in a geographic area different from that of the parent agency. The subunit by virtue of the distance between it and the agency is judged incapable of sharing administration, supervision and services.

"Summary Report" - a compilation of the pertinent factors from the clinical notes and progress notes regarding a patient, which is submitted to the patient's physician or podiatrist.

"Supervision" - authoritative procedural guidance by a qualified person of the appropriate discipline.

(Source: Amended at 20 Ill. Reg. _____, effective _____ **FEB 5 1996**)

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Section 245.25 Incorporated and Referenced Materials

- a) The following federal regulations ~~standards~~ and ~~statutes~~ are incorporated by reference or ~~referenced~~ in this part and apply only to Medicare certified agencies:
Federal Government Regulations Department of Health and Human Services, Health Care Financing Administration, Medicare Program Conditions of Participation for Home Health Agencies, 42 CFR 484.1 through 484.10, 59 Federal Register 65482-65488, December 30, 1994 January 17, 1995.
- b) All incorporations by reference of federal regulations and the standards of nationally recognized organizations in this part refer to the regulations or standards on the date specified and do not include any additions or deletions subsequent to the date specified.
- c) The following State statutes are referenced in this part:
 2) ~~State Statutes~~
 1) Administrative Review Law [735 ILCS 5/Art. III] ~~with Rev. Stat. 1989, ch. 117, par. 3-101 et seq.~~

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- 2)B† Business Corporation Act of 1938 [805 ILCS 5] ††††-Rev--Stat-1599--ch--327--par--101--et--seq††
- 3)E† Illinois Administrative Procedure Act [5 ILCS 100] ††††-Rev--Stat--1991--ch--327--par--1991--et--seq††
- 4)B† Illinois Nursing Act of 1987 [225 ILCS 65] ††††-Rev--Stat--1989--ch--117--par--358--et--seq††
- 5)B† Illinois Occupational Therapy Practice Act [225 ILCS 75] ††††-Rev--Stat--1989--ch--117--par--370--et--seq††
- 6)F† Illinois Physical Therapy Act [225 ILCS 90] ††††-Rev--Stat--1989--ch--117--par--425--et--seq††
- 7)B† Illinois Speech-Language Pathology and Audiology Practice Act [225 ILCS 110] ††††-Rev--Stat--1989--ch--117--par--790--et--seq††
- 8)H† Local Records Act [50 ILCS 205] ††††-Rev--Stat--1989--ch--116--par--43--101--et--seq††
- 9)†† Medical Practice Act of 1987 [225 ILCS 60] ††††-Rev--Stat--1989--ch--117--par--440--et--seq††
- 3† State-of-Illinois-Rules

d) The following State rules are referenced in this Part:

- 1)A† Department of Public Health, Certified Local Health Department Code Minimum--Qualifications--for--Personnel--Employed--by--Local Health--Departments (77 Ill. Adm. Code 600)†
- 2)B† Department of Public Health, Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100)†
- b† Att--incorporations--by--reference--of--federal--regulations--and--the standards-of-nationally-recognized-organizations-in-this-Part-refer-to the-regulations-or-standards-on-the-date-specified-and-do-not-include any-additions-or-deletions-subsequent-to-the-date-specified.

(Source: Amended at 20 Ill. Reg. **8273**, effective **FEB 15 1996**)

SUPPORT B: OPERATIONAL REQUIREMENTS

Section 245.30 Organization and Administration

- a) Governing Body. The home health agency shall have a governing body or a clearly defined body having legal authority and responsibility for the conduct of the home health agency. Where the governing body of a large organization is functionally remote from the operation of the home health agency, the Department may approve the designation of an intermediate level "governing body". For the purposes of this Section the governing body shall:
- 1) Have bylaws or the equivalent, which shall be reviewed annually and be revised as needed. They shall be made available to all members of the governing body and of the professional advisory group. The bylaws or the equivalent shall specify the objectives of the agency.

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- 2) Appoint members of the professional advisory group.
 - 3) Employ a qualified administrator.
 - 4) Adopt and revise, as needed, policies and procedures for the operation and administration of the agency.
 - 5) Meet to review the operation of the agency.
 - 6) Keep minutes of all meetings.
 - 7) Provide and maintain an office facility adequately equipped for efficient work and that which provides a safe working environment in compliance with local ordinances and fire regulations.
- b) Professional Advisory Group
- 1) The professional advisory group shall assist in developing and recommending policies and procedures for administration and home health services provided by the agency. These policies and procedures shall be in accordance with the scope of services offered by the agency and based on the home health needs of the patient and the area being served. Policies and procedures shall be reviewed annually or more frequently as needed to determine their adequacy and suitability. Recommendations for any improvements are made to the Governing Body. These policies and procedures shall include but not be limited to:
 - A) Administration and supervision of the agency and the home health services it provides.
 - B) Criteria for the acceptance, non-acceptance and discharge of patients.
 - C) Home health services. Home-Health-Services
 - D) Medical supervision and plans of treatment.
 - E) Patient care plans.
 - F) Clinical records.
 - G) Personnel data.
 - H) Evaluation.
 - I) Coordination of services.
- 2) The group shall keep minutes of its meetings and meet as often as necessary to carry out its purposes.
- c) Administration
- 1) The home health agency shall have written administrative policies and procedures to insure the provision of safe and adequate care of the patient.
 - 2) The home health agency shall show evidence of liability insurance.
- d) Agency Supervision
- 1) The home health agency shall designate a person with one of the following sets of qualifications to supervise the provision of home health services:
 - A) a physician;
 - B) a registered nurse who is a public-health-nurse-with-at-least-one-year-of-nursing-experience-or has completed a baccalaureate degree program approved by the National League for Nursing; and

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- ii) has at least one year of nursing experience.
- C) a registered nurse who does not have a baccalaureate degree, ~~is not a public health nurse~~ but who has at least three years of nursing experience, which meets the following requirements:

- i) At least two years of such nursing experience must have been in either: a home health agency; a community health program that included care of the sick; or a generalized family-centered ~~family centered~~ nursing program in a community health agency.
- ii) At least two years of the three years nursing experience must have been obtained within five years prior to current employment with the home health agency.

- 2) The agency supervisor shall be available at all times during operating hours of the agency and participate in all activities relevant to the provision of home health services.

- 3) Any person employed as an Agency Supervisor prior to July 1, 1983, may continue to serve in that capacity at that agency only without meeting the qualifications for Agency Supervisor ~~that~~ which were in effect prior to October 1, 1983.

- 4) One person may hold the positions of both administrator and agency supervisor, if that person meets the requirements of both positions.

e) Supervising Nurse

- 1) The skilled nursing service of a home health agency shall be under the supervision of a full-time registered nurse.

- 2) The supervising nurse shall be responsible for:

- A) The overall supervision of all registered nurses, licensed practical nurses and home health aides.
- B) The assurance that the professional standards of community nursing practice are maintained by all nurses providing care.

- C) Maintaining and adhering to agency procedure and patient care policy manuals.

- D) Participation in the establishment of service policies and procedures.

- E) Participation in the selection of nursing personnel and the evaluation of nursing personnel.

- F) Coordination of patient care services.

- G) Keeping and maintaining records of case assignments and case management.

- H) Preparation and maintenance of scheduling of cases to be brought to the clinical record review committee.

- I) The conduct of selective program evaluations to improve deficient services and the development and implementation of plans of correction.

f) Personnel Policies

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- 1) Personnel policies applicable and available to all full- and part-time employees shall include but not be limited to the following:

- A) Wage scales, fringe benefits, hours of work and leave time.
- B) Requirements for an initial health evaluation of each new employee who has contact with patients, including a physical examination and any other components as specified by the governing body.
- C) Orientation to the home health agency and appropriate continuing education.
- D) Job descriptions for all positions utilized by the agency.
- E) Annual performance evaluation for all employees.
- F) Compliance with all applicable requirements of the Civil Rights Act of 1964.

- G) Provision for confidentiality of personnel records.

- H) Employee health policies that ~~which~~ require employees to report health symptoms and exposure to any communicable or infectious disease and that ~~which~~ specify conditions under which employees are to be removed from patient contact and conditions under which employees may resume patient contact.

- 2) Personnel records for all employees shall include the name and address of the employee, social security number, date of birth, name and address of next of kin, evidence of qualifications (including any current licensure, registration, or certification that ~~which~~ is required by state or federal law for the functions performed), dates of employment and separation from the agency, and the reason for separation.

- 3) Home health agencies that provide other home health services under arrangement through a contractual purchase of services shall ensure that these services are provided by qualified personnel, who hold any current licensure, registration, or certification that ~~which~~ is required by state or federal law for the functions performed, under the supervision of the agency.

(Source: Amended at 20 Ill. Reg. _____, effective

FEB 5 1986)

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Section 245.40 Staffing and Staff Responsibilities

- a) Administrator. The administrator shall have the following responsibilities:

- 1) Ensure that the agency is in compliance with all applicable federal, ~~Federal~~, State and ~~local~~ local laws.
- 2) Be familiar with the rules of the Department and maintain them within the agency.
- 3) Familiarize all employees as well as providers through contractual purchase of services with the law and the rules of the Department and make copies available for their use.

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- 1) Assist the physician or podiatrist in evaluating the patient's level of function by applying diagnostic and prognostic procedures.
- 2) Guide the patient in the use of therapeutic creative and self-care activities for the purpose of improving function.
- 3) Observe, record and report to the physician or podiatrist the patient's reaction to treatment and any changes in the patient's condition.
- 4) Instruct other health team personnel including, when appropriate, home health aides and family members in certain phases of occupational therapy in which they may work with the patient.
- 5) Prepare clinical and progress notes for the clinical record.
- 6) Supervision of the occupational therapy assistant shall include the following:

A) A licensed occupational therapist must be accessible by telephone to the occupational therapy assistant at all times while the occupational therapy assistant is treating patients.

B) On-site supervision should take place every four to six visits. The supervisory visits may be made either when the occupational therapy assistant is present so that the supervisor may observe and assist, or when the occupational therapy assistant is absent so that the supervisor may assess relationships and determine whether goals are being met.

C) Supervision does not constitute treatment.

D) The supervisory visit should include a complete on-site functional assessment, an on-site review of activities with appropriate revision of treatment plan, and an assessment of the utilization of outside resources.

2) Physical Therapist and Physical Therapist Assistant

- 1) When provided, physical therapy services shall be given by a ~~qualified~~ physical therapist or by a ~~qualified~~ physical therapist assistant under the supervision of a ~~qualified~~ physical therapist in accordance with the plan of treatment. These services shall include the following:

A) Review and evaluate physician's or podiatrist's referral and patient's medical record to determine physical therapy required.

B) Plan and prepare a written treatment program based on the evaluation of available patient data.

C) Perform patient tests, measurements, and evaluations, such as range-of-motion and manual muscle tests, gait and functional analyses, and body parts measurements, and record and evaluate findings to aid in establishing or revising specifics of treatment programs.

D) Plan and administer prescribed physical therapy treatment programs for patients to restore function, relieve pain, and

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prevent disability following disease, injury or loss of body part.

- E) Administer manual therapeutic exercises to improve or maintain muscle function, applying precise amounts of manual force and guiding patient's body parts through selective patterns and degrees of movement. Instruct, motivate and assist patient in non-manual exercises, such as active regimens, isometric and progressive resistive, and in functional activities using available equipment and assistive and supportive devices, such as crutches, walkers, canes, orthoses and prostheses. Administer treatment involving application of physical agents, such as heat, light, cold, water and electricity. Administer traction and massage. Evaluate, fit and adjust prosthetic and orthotic devices and recommend modifications to the orthotist/prosthetist.

F) Observe, record and report to the physician or podiatrist the patient's treatment, response and progress.

G) Instruct other health team personnel including, when appropriate, home health aides and family members in certain phases of physical therapy with which they may work with the patient.

H) Instruct patient and family in total physical therapy program.

- I) Prepare clinical and progress notes for the clinical record.
- 2) Supervision of the physical therapist assistant shall include the following:

A) A licensed ~~registered~~ physical therapist must be accessible by telephone to the physical therapist assistant at all times while the physical therapist assistant is treating patients.

B) On-site supervision should take place every four to six visits. The supervisory visits may be made either when the physical therapist assistant is present so that the supervisor may observe and assist, or when the physical therapist assistant is absent so that the supervisor may assess relationships and determine whether goals are being met.

C) Supervision does not constitute treatment.

D) The supervisory visit should include a complete on-site functional assessment, an on-site review of activities with appropriate revision of treatment plan, and an assessment of the utilization of outside resources.

- 3) The physical therapist assistant shall:

A) Be directed by and under the supervision of a licensed registered physical therapist.

B) Administer the physical therapy program as established by the physical therapist.

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- C) Administer non-complex active and passive manual therapeutic exercises, therapeutic massage, traction, heat, light, cold, water and electrical modalities to patients with relatively stable conditions.
- D) Instruct, motivate and assist patients in learning and improving functional activities such as perambulation, transfers, ambulation and activities of daily living.
- E) Observe patient's progress and response to treatment and report to the physical therapist.
- F) Confer with members of the health care team for planning, modifying, and coordinating treatment programs.
- g) Registered Nurse. Skilled nursing services shall be given by a registered nurse in accordance with the plan of treatment. These services shall include the following:
- 1) Have the responsibility for the observation, assessment, nursing diagnosis, counsel, care and health teaching of the ill, injured or infirm, and the maintenance of health and prevention of illness of others.
 - 2) Maintain a clinical record for each patient receiving care.
 - 3) Provide progress notes to the patient's physician or podiatrist about patients under care when the patient's conditions change or there are deviations from the plan of care or at least every sixty days.
 - 4) Make home health aide assignments, prepare written instructions for the aide and supervise the aide in the home.
 - 5) Direct the activities of the licensed practical nurse.
 - 6) Administer medications and treatments as prescribed by the patient's physician or podiatrist.
 - 7) Act as the coordinator of the health care team in order to maintain the proper linkages within a continuum of care.
- h) Speech-Language Pathologist. When provided, speech therapy services shall be given by a qualified speech-language pathologist in accordance with the plan of treatment. These services shall include the following:
- 1) Assist the physician in determining and recommending appropriate speech and hearing services.
 - 2) Evaluate the patient's speech and language abilities and establish a plan of treatment.
 - 3) Provide rehabilitation services for speech and language disorders.
 - 4) Record and report to the patient's physician the patient's progress in treatment and any changes in the patient's condition and plan of care.
 - 5) Instruct other health team personnel and family members in methods of assisting the patient in improving communication skills.
 - 6) Prepare clinical and progress notes for the clinical record.
- i) Audiologist. When provided, audiology services shall be given by an

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audiologist in accordance with the plan of treatment. These services shall include the following:

- 1) Administer diagnostic hearing tests to evaluate the patient's audiological abilities.
- 2) Assess the patient's need for amplification.
- 3) Provide rehabilitative services for hearing disorders.
- 4) Instruct other health team personnel and family members in methods of assisting the patient in improving communication skills.
- 5) Record and report to the patient's physician the patient's response to rehabilitative intervention.
- j) Student Training Program. When an agency elects to participate with an educational institution to provide clinical experience for students as part of their health-related professional training, there shall be a written agreement between the agency and each educational institution. The agreement must specify the responsibilities of the agency and the educational institution. The agreement shall include at a minimum the following provisions:
 - 1) The agency retains the responsibility for client care.
 - 2) The educational institution retains the responsibility for student education.
 - 3) The student and faculty performance expectations.
 - 4) Faculty supervision of undergraduate students in the clinic and the field.
 - 5) Ratio of faculty to students.
 - 6) Confidentiality regarding patient information.
 - 7) Required insurance coverage.
 - 8) Provisions for joint evaluation by the agency and faculty of the students' performance and of the training program.

(Source: Amended 20 Ill. Reg. **3273** - , effective **FEB 15 1996**)

Section 245.50 Services

a) Services Provided

- 1) Each agency shall provide skilled nursing service and at least one other home health service on a part-time or intermittent basis. The basic skilled nursing service shall be provided directly by agency staff. Other home health services may be provided by agency staff directly or provided under arrangement through a contractual purchase of services. Additional skilled specialty nursing services and use of additional nursing staff to meet changes in caseload may be provided by contract. All services shall be provided in accordance with the orders of the patient's physician or podiatrist, under a plan of treatment established by such physician or podiatrist, and under the supervision of agency staff.

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- 2) The agency shall state in writing what services will be provided directly and what services will be provided under arrangements.
- 3) Services provided under arrangements shall be through a written agreement that which includes but is not limited to the following:
- Services to be provided.
 - Provision for adherence to all applicable agency policies and personnel requirements, including requirements for initial health evaluations and employee health policies.
 - Designation of full responsibility for agency control over contracted services.
 - Procedures for submitting clinical and progress notes.
 - Charges for contracted services.
 - Statement of responsibility of liability and insurance coverage.
 - Period of time in effect.
 - Date and signatures of appropriate authorities.
 - Provision for termination.
- c) Acceptance of Patients. Patient acceptance and discharge policies shall include but not be limited to the following:
- Persons shall be accepted for health service on a part-time or intermittent basis upon a plan of treatment established by the patient's physician or podiatrist. This plan shall be reduced to writing within 14 days.
 - Prior to acceptance, the person shall be informed of the agency's charges for the various services that it offers.
 - No person shall be refused service because of age, race, color, sex, marital status, national origin or source of payment. An agency is not required to accept a patient whose source of payment is less than the cost of the service.
 - Patients are accepted for treatment on the basis of a reasonable expectation that the patient's medical, nursing, and social needs can be met adequately by the agency in the patient's place of residence.
 - When services are to be terminated by the home health agency, the patient is to be notified three working days in advance of the date of termination, stating the reason for termination. This information shall be documented in the clinical record. When indicated, a plan shall be developed or a referral made for any continuing care.
 - Services shall not be terminated until such time as the registered nurse, the appropriate therapist, or both, in consultation with the patient's physician or podiatrist, deem it appropriate or arrangements are made for continuing care.
- c) Plan of Treatment
- Skilled nursing and other home health services shall be in accordance with a plan based on the patient's diagnosis and assessment of the patient's immediate and long-range needs and

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- resources. The plan of treatment is established in consultation with the home health services team, which includes the patient's physician or podiatrist, pertinent members of the agency staff, the patient and members of the patient's family. The plan of treatment shall include:
- Diagnoses.
 - Functional limitations and rehabilitation potential.
 - Expected outcomes for the patient.
 - The patient's physician or podiatrist regimen of:
 - Medications.
 - Treatments.
 - Activity.
 - Diet.
 - Specific procedures deemed essential for the health and safety of the patient.
 - Mental status.
 - Frequency of visits.
 - Equipment required.
 - Instructions for timely discharge or referral.
- E) The patient's physician's or podiatrist's signature and date.
- Consultation with the patient's physician or podiatrist on any modifications in the plan of treatment deemed necessary shall be documented, and the patient's physician's or podiatrist's signature shall be obtained within 14 days after of any modification of the medical plan of treatment.
 - The plan shall be reviewed by the home health services team every 62 60 days or more often should the patient's condition warrant.
 - An updated plan of treatment shall be given to the patient's physician or podiatrist for review, for any necessary revisions, and for signature every 62 60 days or more often as indicated.
- d) Patient Care Plan
- Home health services from members of the agency staff as well as those under arrangements shall be given in accordance with the plan of treatment and the patient care plan. The patient care plan shall be written by appropriate members of the home health services team based upon the plan of treatment and an assessment of the patient's needs, resources, family and environment. The initial assessment is to be made by a registered nurse. Assessment by other members of the health services team shall be made on orders of the patient's physician or podiatrist or by request of a registered nurse.
 - The patient care plan shall be updated as often as the patient's condition indicates. The plan shall be maintained as a permanent part of the patient's record. The patient care plan shall indicate:
 - Patient problems.
 - Patient's goals, family's goals, service goals.

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- C) Service approaches to modify or eliminate problems.
D) The staff responsible for a given element of service.
E) Anticipated outcome of service approach with an estimated time frame for completion.
F) Potential for discharge from service.
- e) Clinical Records. Each patient shall have a clinical record, identifiable for home health services and maintained by the agency in accordance with accepted professional standards. Clinical records shall contain:
- 1) Appropriate identifying information for the patient, household members and caretakers, medical history and current findings.
 - 2) A plan of treatment signed by the patient's physician or podiatrist.
 - 3) A patient care plan for the patient developed by the home health services team which is in accord with the patient's physician's or podiatrist's plan of treatment.
 - 4) A noted medication list with dates reviewed, revised and date sent to the patient's physician or podiatrist.
 - 5) Initial and periodic patient assessments by the registered nurse which include documentation of the patient's functional status and eligibility for service.
 - 6) Assessments made by other members of the home health services team.
 - 7) Signed and dated clinical notes for each contact, which are written the day of service and incorporated into the patient's clinical record at least weekly.
 - 8) Reports on all patient home health care conferences.
 - 9) Reports of contacts with the patient's physician or podiatrist by patient and staff.
 - 10) Indication of supervision of home health services by the supervising nurse, a registered nurse, or other members of the home health services team.
 - 11) Written summary reports sent to the patient's physician or podiatrist every 60 days containing home health services provided, the patient's status, recommendations for revision of the plan of treatment and the need for continuation or termination of services noted.
 - 12) Written and signed confirmation of the patient's physician's or podiatrist's interim verbal orders.
 - 13) A discharge summary giving a brief review of service, patient status, reason or reasons for discharge and plans for post discharge needs of the patient.
 - 14) A copy of appropriate patient transfer information, when requested, if the patient is transferred to another health facility or health agency.
 - 15) Each agency shall have a written policy on records procedures and shall retain records for a minimum of five years beyond the last date of service provided. These procedures may include that the

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- agency will utilize and maintain favored classes of services for licensed professionals, favoring them over other professionals, and that the favored classes will be maintained in perpetuity, and that the original records are maintained for a period of five years by the professional, and thereafter the records are maintained by the agency, then the contract must provide that the original records must be maintained for a period of five years by the professional.
- 16) Those agencies which are subject to the Code of Ethics for Health-Care Workers, promulgated by the State Board of Health, shall be subject to the Code of Ethics for Health-Care Workers, promulgated by the State Board of Health, except as otherwise provided by law, no public records shall be disposed of by any officer or employee of the agency unless the disposal is in accordance with the provisions of the Illinois Public Access to Information Act (Section 7 of the Illinois Constitution, Article I, Section 7, and the Illinois Freedom of Information Act, 5/1-1/77, as amended, and the Illinois Freedom of Information Act, 5/1-1/77, as amended, and the Illinois Freedom of Information Act, 5/1-1/77, as amended).
- 17) Each agency shall have a written policy and procedure for the protection of confidentiality of patient records, which shall include the use of records, removal of records and release of information.
- f) Drugs and Biologicals. The agency shall have written policies governing the supervision and administration of drugs and biologicals which shall include but not be limited to the following:
- 1) All orders for medications to be given shall be dated and signed by the patient's physician or podiatrist.
 - 2) All orders for medications shall contain the name of the drug, dosage, frequency, method of site of injection and permission from the patient's physician or podiatrist if the patient, the patient's family, or both are to be taught to give medications.
 - 3) The agency's physician or podiatrist or registered nurse shall check all medications a patient may be taking to identify possible ineffective drug therapy or adverse reactions, significant side effects, drug allergies, and contraindicated medications and promptly report any problem to the patient's physician or podiatrist.
 - 4) All verbal orders for medication or change in medication orders shall be taken by the registered nurse and reduced to writing and signed by the patient's physician or podiatrist within seven days.
 - 5) When any experimental drug, sera, allergenic desensitizing agent, penicillin or any other potentially hazardous drug is administered, the registered nurse administering such drugs shall have an emergency plan and any drugs and devices that may be necessary in the event of a drug reaction.
 - 9) Evaluation. The home health agency shall have written policies and is required to make an overall evaluation of the agency's total program

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at least once a year. This evaluation shall be made by the Professional Advisory Group (or a committee of this group), home health agency staff, consumers, or representatives from professional disciplines that watch are participating in the provision of home health services. The evaluation consists of an overall policy and administrative review and a clinical record review. The evaluation shall assess the extent to which the agency's program is appropriate, adequate, effective and efficient. Results of the evaluation shall be reported to and acted upon by those responsible for the operation of the agency and maintained separately as administrative records.

- h) Policy and Administrative Review. As a part of the evaluation process to determine the extent to which they promote patient care that is appropriate, adequate, effective and efficient, mechanisms are established in writing for the collection of pertinent data to assist in evaluation. The data to be considered may include but are not limited to: number of patients receiving each service offered, number of patient visits, reasons for discontinuation of services, sources of referral, number of patients not accepted with reasons, and total staff days for each service offered.

i) Clinical Record Review

1) At least quarterly, records of patients shall also be reviewed representing at least the same as the agency's programs. Staff review a sample of each and a sample of each program. The review assure that established policies are followed in completing services (direct as well as indirect under attachment). This review will include, but not be limited to the following:

- Whether the patient care plan was directly related to the stated diagnosis and plan of treatment.
- Whether the frequency of visits was consistent with the plan of treatment.
- Whether the services provided have been provided in a shorter span of time.

2) There is a continuing review of clinical records for each 60 day period that a patient receives the health services to determine adequacy of the plan of treatment and appropriateness of continuation of care.

(Source: Amended at 20 Ill. Reg.

FFB 5 1996

3273 effective

Section 245.70 Requirements for State-Approved Home Health Aide Training Programs

- a) Home-Health-Aide- Training-Programs. Each Home Health Aide Training Program shall ensure that all persons employed as home health aides or direct care staff, whose duties are to assist with the care of patients, including medical care of the patients, and who are not otherwise licensed,

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certified or registered in accordance with Illinois law by the Illinois Department of Registration and Education to render such care, comply with one of the following conditions within 45 days of initial employment:

- 1) Provide documentation of registration on the Department's Nurse Aide Registry; or
- 2) Enroll in a training program that has been approved by the Department under its rules governing training programs for nursing assistants and aides (7 Ill. Adm. Code 395) and pass the competency examination passed by the nursing assistant no later than 120 days after the date of initial employment. Address the training program is conducted by a community college or other educational institution on a term, semester, or trimester basis. or by the Department of Public Health Home Health Aide Training Program. The program course work shall be successfully completed and the competency examination passed by the nursing assistant no later than 120 days after the date of initial employment. Address the training program is conducted by a community college or other educational institution on a term, semester, or trimester basis. or by the Department of Public Health Home Health Aide Training Program. The program course work shall be successfully completed and the competency examination passed by the nursing assistant no later than 120 days after the date of initial employment.
- 3) Meet equivalencies established in subsection (b) of this Section.

b) Equivalency may be established by any one of the following:

- 1) Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate.

2) Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate.

3) Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate.

4) Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate.

5) Documentation of successful completion of a training course approved by another state as evidenced by a diploma or certificate.

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certification, or other written verification, and the written portion of the Department approved nursing assistant competency evaluation.

5+ Recommendation of the Department Board of Health shall be the basis for the Department's decision on the application for certification. The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

6+ Requests to establish equivalency shall be submitted to the Department Board of Health, together with accompanying documentation.

7+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

8+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

9+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

10+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

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11+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

12+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

13+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

14+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

15+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

16+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

17+ The Department shall not extend the certification period beyond the year of expiration, except in the case of a recommendation of the Department Board of Health to extend the certification period.

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1) Heading of the Part: Retail Food Store Sanitation Code

2) Code Citation: 77 Ill. Adm. Code 760

3) Section Numbers: Adopted Action:

760.15

Amendment

760.20

Amendment

760.110

Amendment

760.3100

Amendment

750.3300

New Section

4) Statutory Authority:

Illinois Food Drug and Cosmetic Act (410 ILCS 620)

Sanitary Food Preparation Act (240 ILCS 30)

Food Handling Regulation Enforcement Act (410 ILCS 625)

5) Effective Date of Amendments: February 5, 1996

6) Does this Rulemaking Contain an Automatic Repeat Date? No

7) Does this Rulemaking Contain any Incorporation by Reference? Yes

8) Date Filed in Agency's Principal Office: February 5, 1996

9) Date Notice of Proposed Rulemaking was Published in the Illinois Register:

19 Ill. Reg. 13520 - 9/29/95

10) Has the Joint Committee on Administrative Rules Issued a Statement of

Objection to this Rulemaking: No

11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

1. In Section 750.15 Definitions, add

"Curing" means the placing of approved ingredients in or on edible flesh of approved ingredients, such as a solution or mixture containing chloride and nitrite salts of sodium or potassium, water, sodium erythorbate or ascorbate, sodium phosphates, sweeteners (dextrose and cane sugar) and flavorings.

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2. In Section 750.15 Definitions, add "'Field dressed' means the removal of the visceral organs of an animal following the animal's death in the field."

3. In Section 750.15 Definitions, amend "Game animal" by adding "swine," after "sheep,". Further amend "Game animal" by adding "as meat in the Illinois Meat and Poultry Act (225 ILCS 650);" after "inspection regulations;" and by adding "wild and not domestically raised" after "Game animal includes".

5. In Section 750.15 Definitions, add "'Special event' means a unique event at a particular location, such as a celebration, festival or fund raiser, that occurs no more than twice a year".

6. In Section 750.110 (d)(2)(A) Special Requirements, add "professional biologist or other person familiar with the conditions, parasites and diseases of the species," after "veterinarian's designee".

7. In Section 750.3300 (g)(5) Curing of Meat and Poultry, add ", using only pre-measured and weighed packets," after "to be used".

12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

All changes agreed upon by the Department and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee.

13) Will the Rulemaking Replace an Emergency Rule Currently in Effect? No

14) Are there any Other Amendments Pending on this Part? No

15) Summary and Purpose of Amendments:

Ever since the Good Samaritan Food Donor Act was amended, effective January 1, 1993, to provide immunity from liability for donors of wild game, the Department has received numerous requests for clarification in the Food Service Sanitation Code of the issue of the use of uninspected wild game. This rulemaking clarifies the discrepancy between Section 760.110(d), which requires all meat of mammalian and avian origin to be inspected, and Section 3(a-5) of the Good Samaritan Food Donor Act, which allows uninspected wild game to be served at special events such as wild game dinners, provided a placard is present stating that the game is uninspected. The rulemaking also adds several definitions for terms that are used in the rules, including "game animal", "special event", "field-dressed", and "curing".

Another issue that is addressed in this rulemaking, on which the

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Department has received requests from retail stores and outlets, is for the criteria for curing of meat and poultry from the FDA's 1993 Food Code to be incorporated into Illinois' rules. Section 760.3100(e) currently prohibits the use of preservatives as an allowable seasoning in retail food stores. The amendments require retail food stores that want to begin using preservatives in curing operations to obtain prior approval from the local health department in their jurisdiction, with final approval from the Department. The curing operations must be based on a comprehensive Hazard Analysis Critical Control Point (HACCP) plan, as outlined in the proposed amendments.

- 16) Information and Questions Regarding these Adopted Amendments shall be directed to:

Gail M. DeVito
Administrative Rules Coordinator
Division of Governmental Affairs
535 West Jefferson
Springfield, Illinois 62761
(217)782-6187

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER m: FOOD, DRUGS AND COSMETICS

PART 760

RETAIL FOOD STORE SANITATION CODE

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760.15	Definitions
760.20	Inspections and Inspection Report

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760.196	Oven Parameters Required for Destruction of Pathogens on the Surface of Roasts of Beef and Corned Beef
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760.210	Reheating
760.220	Food Product Thermometers
760.230	Thawing Potentially Hazardous Foods
760.240	Displaying Potentially Hazardous Foods
760.250	Displaying Frozen Foods
760.260	Food Display
760.270	Dispensing Utensils
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760.400 General - Employee Health
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760.1080 Handwashing Facility Maintenance
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APPENDIX A Retail Food Sanitary Inspection Report

AUTHORITY: Implementing the Illinois Food, Drug and Cosmetic Act (410 ILCS 620) and the Sanitary Food Preparation Act (410 ILCS 650) and authorized by Section 21 of the Illinois Food, Drug and Cosmetic Act (410 ILCS 620.2) and Section 11.1 of the Sanitary Food Preparation Act (410 ILCS 650.11.1).

SOURCE: Adopted September 16, 1963; old rules repealed and new rules adopted and codified at 7 Ill. Reg. 1382, effective January 25, 1983; amended at 7 Ill. Reg. 8532, effective July 8, 1983; amended at 11 Ill. Reg. 3441, effective February 1, 1987; amended at 11 Ill. Reg. 18743, effective January 17, 1988; emergency amendment at 12 Ill. Reg. 14391, effective September 27, 1989; for a maximum of 150 days; adopted at 12 Ill. Reg. 17935, effective December 1, 1989; amended at 13 Ill. Reg. 1930, effective January 30, 1989; amended at 13 Ill. Reg. 18621, effective December 1, 1989; amended at 16 Ill. Reg. 16350, effective October 1, 1992; amended at 20 Ill. Reg. 2201, effective January 20, 1996; amended at 20 Ill. Reg. **3307**, effective **FEB 5 1996**.

SUBPART A: GENERAL PROVISIONS

Section 760.15 Incorporated Materials

The following materials are incorporated or referenced in this Part:

- a) Salvage Warehouses and Stores for Foods, Alcoholic Liquors, Drugs, Medical Devices and Cosmetics (77 Ill. Adm. Code 725).
 - b) The Illinois Plumbing Code (77 Ill. Adm. Code 890).
 - c) Drinking Water Systems Code (77 Ill. Adm. Code 900).
 - d) Official Methods of Analysis of the Association of Official Analytical Chemists, 15th Edition, published by the Association of Official Analytical Chemists (1990), 111 North Nineteenth Street, Suite 210, Arlington, Virginia 22209.
 - e) Standard Methods for the Examination of Dairy Products, 15th Edition, published by the American Public Health Association (1989), 1015 Fifteenth Street, N.W., Washington, D.C. 20036.
 - f) Code of Federal Regulations, published by the Office of the Federal Register, National Archives and Records Administration (1995), U.S. Government Printing Office, Superintendent of Documents, Mail Stop: S50P, Washington, D.C. 20402-9318.
- 1) 9 CFR 1 (Animals and Animal Products; Animal Welfare, Definition of Terms);
 - 2) 9 CFR 301 (Animals and Animal Products; Mandatory Meat Inspection, Definitions);

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- 3) 9 CFR 318 (Animals and Animal Products: Mandatory Meat Inspection, Entry into Official Establishments; reinspection and preparation of products); and
- 4) 9 CFR 381 (Animals and Animal Products: Mandatory Poultry Products Inspection, Poultry Products Inspection regulations).

(Source: Amended at 20 Ill. Reg. **3307** effective

Feb 5 1996)

Section 760.20 Definitions

For the purpose of this Part:

"Acceptable product list" means a list of foods, acceptable to the regulatory authority, which because of their characteristics will present a barrier to the growth of *Clostridium botulinum*.

"Barrier" means a safety factor of a physical, biological, or chemical nature which inhibits or minimizes the growth of microorganisms including those which may be infectious or toxigenic.

"Beef pattie mix" (or "Beef Patties" if in pattie form) means chopped beef with or without the addition of beef fat as such and/or seasonings.

"Bulk food" means processed or unprocessed food in aggregate containers from which quantities desired by the consumer are withdrawn.

"Cold smoke process" is a smoking process used to apply smoke or a smoke flavor at or below ambient temperature to food products not sufficiently darkened in the original smoking operation.

"Comminutes" means reduced in size by methods including chopping, flaking, grinding or mincing. It includes fish or meat products that are reduced in size and restructured or reformulated, such as gefilte fish, formed roast beef, gyros, ground beef, and sausage; and a mixture of 2 or more types of meat that have been reduced in size and combined, such as sausages made from 2 or more meats.

"Controlled atmosphere packaging (CAP)" means an active packaging system which continuously maintains the desired atmosphere within the package throughout the shelf-life of the product. CAP uses an agent to bird or "scavenge" oxygen permeating the package, or a sachet to emit a gas.

"Cook-chill processing" means a process in which a plastic bag is filled with hot cooked food and the air is expelled while the bag is

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being sealed before being blast or tumble chilled.

"Corrosion-resistant materials" means those materials that maintain acceptable sanitary surface characteristics under prolonged influence of the food to be contacted, the normal use of cleaning compounds and sanitizing solutions, and other conditions of the use environment.

"Critical control point" means any point of procedure in a specific food processing or packaging operation where loss of control may result in an unacceptable health risk.

"Curing" means the placing in or on edible flesh of approved ingredients, such as a solution or mixture containing chloride and nitrite salts of sodium or potassium, water, sodium erythorbate or ascorbate, sodium phosphates, sweeteners (dextrose and cane sugar) and flavorings.

"Department" means the Illinois Department of Public Health.

"Dedicated equipment or personnel" means equipment or personnel reserved solely for the use of one food processing operation to prevent cross-contamination.

"Easily cleanable" means that surfaces are readily accessible and made of such material and finish and so fabricated that residue can be effectively removed by normal cleaning methods.

"Employee" means the permit holder, individual having supervisory or management duties, person on the payroll, family member, volunteer, person performing work under contractual agreement, or any other person working in a food store.

"Equipment" means items other than utensils used in the storage, preparation, display, and transportation of food, such as storves, ovens, hoods, slicers, grinders, mixers, scales, meat blocks, tables, food shelving, reach-in refrigerators and freezers, sinks, ice makers, and similar items used in the operation of a retail food store. This item does not include fork lift trucks or dollies.

"Field dressed" means the removal of the visceral organs of an animal following the animal's death in the field.

"Food" means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption.

"Food-contact surfaces" means those surfaces of equipment and utensils with which food normally comes into contact, and those surfaces from

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which food may drain, drip, or splash back onto surfaces normally in contact with food.

"Food employee" means an individual working with unpackaged food, food equipment or utensils, or food-contact surfaces.

"Food service establishment" means any place where food is prepared and intended for, though not limited to, individual portion service, and includes the site at which individual portions are provided. The term includes any such place regardless of whether consumption is on or off the premises and regardless of whether there is a charge for the food. The term includes delicatessens that offer prepared food in individual service portions. The term does not include lodging facilities serving only a continental breakfast (a continental breakfast is one limited to only coffee, tea, and/or juice and commercially prepared sweet baked goods), private homes where food is prepared or served for individual family consumption, retail food stores, the location of food vending machines, and supply vehicles.

"Game animal" means an animal, the products of which are food, that is not classified as cattle, sheep, swine, or goat in 9 CFR 301 (Mandatory Meat Inspection, Definitions); as poultry in 9 CFR 381 (Mandatory Poultry Products Inspection, Poultry products inspection regulations); as meat in the Wildlife Meat and Poultry Act (22 USC 4201) or as fish. Game animal includes wild and not domesticated, raised animals such as reindeer, elk, deer, antelope, water buffalo, bison, rabbit, squirrel, bear, and muskrat; aquatic and nonaquatic birds such as wild ducks and geese, quail, and pheasant; nonaquatic reptiles such as rattlesnakes; and aquatic mammals. It also includes exotic animals as defined in 9 CFR 1.1 (Animal Welfare, Definition of Terms), such as lion, tiger, leopard, elephant, camel, antelope, antater, kangaroo and water buffalo, and species of foreign domestic cattle, such as Ankole, Gaur, and Yak.

"Ground beef" means chopped or ground beef with or without seasoning and without the addition of beef fat and shall not contain more than 30 percent fat.

"Hamburger" means chopped beef with or without the addition of beef fat and/or seasoning and shall not contain more than 30 percent fat.

"Hazard Analysis Critical Control Point (HACCP)" Program means a comprehensive food safety control plan which includes a step-by-step description of the food processing, packaging and storage procedures including identification of critical control points (CCPs); the food contact surface cleaning and sanitizing procedures; lot identification procedures and training procedures.

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"Hermetically sealed container" means a container which is designed and intended to be secure against the entry of microorganisms and to maintain the commercial sterility of its contents after processing.

"Injected" means manipulating a meat so that infectious or toxigenic microorganisms may be introduced from its surface to its interior through tenderizing with deep penetration or injecting the meat, such as with juices, which may be referred to as injecting, pinning or stitch pumping.

"Law" includes applicable Federal, State, and local statutes, ordinances, and regulations.

"Lot" means a unique run of processed or packaged product with a specifically designated date and processing operation.

"Modified Atmosphere Packaging (MAP)" means a pre-time gas-flushing and sealing process. The gas atmosphere within the package after sealing is then allowed to passively change due to factors of container permeability and food product respiration.

"Official Methods of Analysis" means the Official Methods of Analysis of the Association of Official Analytical Chemists, 15th Edition, or Standard Methods for Examination of Dairy Products, 15th Edition, as incorporated in Section 760.15(d) and (e).

"Packaged" means bottled, canned, cartoned, bagged, or securely wrapped.

"Partially defatted beef fatty tissue" means a beef by-product derived from the low temperature rendering (not exceeding 120 degrees Fahrenheit) of fresh beef tissue. Such product shall have a pinkish color and a fresh odor and appearance.

"Person" includes any individual, partnership, corporation, association, or other legal entity.

"Person in charge" means the individual present in a retail food store who is the supervisor of the retail food store at the time of inspection.

"Potentially hazardous food" means any food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, and which is in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods that have a pH level of 4.5 or below or a water activity (a(w)) value of 0.95 or less under standard conditions;

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food products in hermetically sealed containers processed to prevent spoilage.

"Preservative" means any curing agent or curing accelerator (specific chemical agent which extends the shelf life of the product) which cures, accelerates color fixing or preserves color in meat or poultry products including but not limited to sodium or potassium nitrate, sodium or potassium nitrite, ascorbic acid, erythroscopic acid, glucose delta lactone, sodium ascorbate, sodium erythroscate, citric acid, sodium citrate or sodium benzoate.

"Processing" means to manufacture, compound, intermix or prepare food products for sale or for customer service.

"Ready-to-eat food" means food that is in a form that is edible without washing, cooking, or additional preparation by the food establishment or the consumer and that is reasonably expected to be consumed in that form. Ready-to-eat food includes:

Unpackaged potentially hazardous food that is cooked to the temperature and time required for specific food under Section 760.190;

Raw, washed, cut fruit and vegetables;

Whole raw fruits and vegetables that are intended for consumption without the need for further washing, such as at a buffet, but excludes whole raw fruits and vegetables offered for retail sale; and

Other food presented for consumption for which further washing or cooking is not required and from which rinds, peels, husks, or sheets are removed.

"Regulatory authority" means the State and/or local enforcement authority or authorities having responsibility for enforcing this Part.

"Retail food store" means any establishment or section of an establishment where food and food products are offered to the consumer and intended for, though not limited to, off-premises consumption. The term includes delicatessens that offer prepared food in bulk quantities only. The term does not include establishments which handle only prepackaged spirits; roadside markets that offer only fresh fruits and fresh vegetables for sale; food service establishments; or food and beverage vending machines.

"Safe materials" means articles manufactured from or composed of

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materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of any food.

"Sanitization" means effective bactericidal treatment by a process that provides enough accumulative heat or concentration of chemicals for enough time to reduce the bacterial count, including pathogens, to a safe level (when those disease organisms which may be present are destroyed so as to prevent transfer) on cleaned food-contact surfaces of utensils and equipment.

"Sealed" means free of cracks or other openings that permit the entry or passage of moisture.

"Showering" means a potable water spray with or without liquid smoke in the smoke house which, depending on when the water spray is applied, maintains humidity, flavors, decreases cooking time, promotes rapid cooling or reduces casing shrinkage.

"Single-service articles" means items used by the retailer or consumer such as cups, containers, lids, and packaging materials, including bags and similar articles, intended for contact with food, and designed for one-time use. The term does not include "single use" articles such as number 10 cans, aluminum pie pans, bread wrappers and similar articles into which food has been packaged by the manufacturer.

"Smoke generator" means a piece of equipment attached or integral to a smoke house which provides smoke to the smoke house, usually by slowly augering sawdust onto a heating element with the resulting smoke being drawn into the smokehouse.

"Smoke house" means a piece of equipment or room sized enclosure used to conduct the smoking process with a smoke source, adequate ventilation, heat and humidity source if necessary, approved plumbing and waste lines if necessary, support structures for the food products to be smoked and a method to determine internal product temperature.

"Smoking" means the process of subjecting meat cuts and other foods to an environment of heat and smoke generated from hardwood, hardwood sawdust, corn cobs or natural liquid smoke that has been transformed into a gaseous state by application of direct heat.

"Special event" means a unique event at a particular location such as a celebration, festival or fundraiser that occurs no more than twice a year.

"Temporary Retail Food Store" means a retail store that operates at a

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fixed location for a period of time of not more than 14 consecutive days in conjunction with a single event or celebration. The term does not include establishments that handle only fresh fruits and fresh vegetables, or temporary food service establishments.

"transportation" (transported) means movement of food within the retail food store or delivery of food from that retail food store to another place while under the control of the person in charge.

"utensil" means any food-contact implement used in the storage, preparation, transportation, or dispensing of food.

"voluntary inspection" means an inspection of meat or poultry products, which are not subject to the federal or state meat or poultry inspection laws, and for which the federal or state mark of inspection is requested.

"warewashing" means the cleaning and sanitizing of food-contact surfaces of equipment and utensils.

(Source: Amended at 20 Ill. Reg. **3307**, effective FEB 5 1996)

Section 760.110 Special Requirements for Food Supplies

- a) Fluid milk and fluid milk products used or offered for sale shall comply with the Grade 'A' standards as established by law. Dry milk and milk products used or offered for sale shall be made from pasteurized milk and milk products.
- b) Fresh and frozen shucked shellfish (oysters, clams, or mussels) shall be received and/or repacked in non-returnable packages identified with the name and address of the original shell stock processor, shucker-packer, or repacker, and the State certification number issued according to law. Shucked shellfish shall be kept in the container in which they were received until used or sold.
- c) Each original container of unshucked shellfish (oysters, clams, or mussels) shall be identified by an attached tag, to be retained for a period of 90 days, that states the name and address of the original shellfish processor, the kind and quantity of shellfish, and the certification number issued by the State or foreign shellfish control agency, where applicable. Each shucked shellfish invoice shall be retained for a period of 90 days and be made available for inspection by the health department.
- d) Only clean shell Grade A eggs meeting applicable grade standards or pasteurized liquid, frozen or dry eggs, or pasteurized dry egg products shall be used or offered for sale.
- e) Only ice which has been manufactured from potable water and handled in a sanitary manner shall be used or offered for sale. Ice offered for

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sale shall be packaged.

f) Game animals received for sale of service must comply with the criteria specified below.

1) Game animals commercially farm-raised for food shall be raised, slaughtered, and processed under either a routine or voluntary inspection program, as provided below.

A) For a routine (mandatory) inspection program conducted by the United States Department of Agriculture or equivalent Department of Agriculture, the game animals shall be raised, slaughtered and processed according to applicable laws governing meat and poultry.

B) Any voluntary inspection program shall be conducted by the agency that has animal health jurisdiction (the United States Department of Agriculture, Illinois Department of Agriculture or other regulatory agency).

2) Field dressed wild game animals obtained under the Good Samaritan Food Donor Act (45 ILCS 50) shall:

A) Receive a postmortem inspection by a veterinarian, veterinarian's designee, professional biologist or other person familiar with the conditions, practices and diseases of the species, approved by the regulatory agency that has animal health jurisdiction.

B) Have been field dressed and transported according to requirements specified by the regulatory agency that has animal health jurisdiction and

C) Be processed according to laws governing meat and poultry as determined by the regulatory agency that has animal health jurisdiction and conducts the inspection program.

3) Exotic species of animals, including animals raised for exhibition purposes in a zoo or circus, used for food shall:

A) Be raised, slaughtered and processed under a voluntary or mandatory inspection program or

B) i) Receive ante-mortem and postmortem examination; and ii) Be slaughtered and processed according to laws governing meat and poultry as determined by the regulatory agency that has animal health jurisdiction and conducts the inspection program.

4) All meat of mammalian and avian origin shall be inspected and reported as human food by the Illinois Department of Agriculture or the Illinois State Department of Agriculture and over the same or meat as required by the aforementioned department.

5) Uninspected, field dressed, wild game served at special events such as wild game dinners shall:

1) Have placards displayed in a conspicuous location throughout the event identifying the food served as uninspected wild game as provided for in the Good Samaritan Food Donor Act (45 ILCS 50).

2) Comply with all other food sanitation requirements specified in this Part.

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Flavored

The products shall be tested in accordance with tests and examinations contained in the 15th edition of Official Methods of Analysis of the Association of Official Analytical Chemists or in the 15th edition of Standard Methods for the Examination of Dairy Products.

*Except frozen yogurt with live culture added.

m) Consumer Advisory. Effective July 1, 1996, if a retail food store offers any raw or under-cooked animal food, such as meat, poultry, eggs or seafood (including shellfish), in ready-to-eat form or offers any ready-to-eat food containing animal food as a raw ingredient, the retail food store operator shall advise consumers of the presence of such raw or under-cooked animal food and advise consumers of the increased health risk of eating such foods in raw or under-cooked form, especially for certain populations.

1) If menu or food items containing such raw or under-cooked animal food (e.g., steak tartare or Caesar salad containing raw unpasteurized eggs) are routinely offered, such consumer advisory shall clearly identify the food item that contains the raw or under-cooked animal food.

2) If a retail food store does not routinely offer food items containing raw or under-cooked animal food, but will serve under-cooked meat, eggs or seafood upon the request of a consumer patron, a general consumer advisory shall be provided. The advisory does not need to identify the food item that a consumer that requests an under-cooked condition.

3) The required consumer advisory shall be in the form of a brochure, deli case or menu advisory above statement, table tent, placard or other written or displayed material that is visible to patrons. The advisory shall include the following:

"The Illinois Department of Public Health advises that eating raw or under-cooked meat, poultry, eggs, or seafood poses a health risk to everyone, but especially to the elderly, young children, pregnant women, and those with weakened immune systems. Susceptible individuals who consume undercooked animal products through cooking of such animal foods reduce the risk of illness."

4) If space permits, any consumer advisory may include additional language such as the following:

"For further information, contact your physician or public health department."

(Source: Amended at 2 Ill. Reg. 3307 effective
FEB 5 1996)

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3) Not be served at institutions and facilities such as nursing homes and hospitals that primarily serve highly susceptible individuals.

3.97 Each retail food establishment location shall obtain written permission from the appropriate regulatory authority responsible for retail food protection in that jurisdiction before packaging foods in a reduced oxygen atmosphere. Reduced oxygen packaging shall consist of cook-chill processing, vacuum-packaging, modified atmosphere packaging (MAP) or controlled atmosphere packaging (CAP). The retail food establishment and associated regulatory authority shall be responsible for the specific and shall be based according to the requirements listed in Subpart 2 of this Part.

4.17 Every food prepackaged in advance of retail sale must bear the following information in legible characters: (a) Packaged foods require the same information to be provided on packages, old labels or source cards, excluding net contents:

- 1) The common and usual name of the product;
- 2) The date, address and telephone number of the manufacturer, processor, packer, preparer or distributor;
- 3) The net contents of the package;
- 4) A list of ingredients in the order of their predominance by weight and percentages of the ingredients in descending order of predominance; and
- 5) A list of any artificial colors, flavors or preservatives used.

4.17.1 This category of packaged food includes any food that is packaged in a container that is sealed or otherwise rendered impenetrable to air and moisture and is intended to be consumed without further preparation. A list of ingredients and percentages of the ingredients shall be required for packaged foods that are ready-to-eat, packaged for retail sale, or packaged for use in food service establishments. Packaged foods that are not ready-to-eat, packaged for retail sale, or packaged for use in food service establishments shall be exempt from the requirement for a list of ingredients and percentages.

4.17.2 The processed and packaged food shall be labeled with the name of the manufacturer, processor, packer, preparer or distributor and the address and telephone number of the manufacturer, processor, packer, preparer or distributor.

4.17.3 Packaged food shall be labeled with the net contents of the package. The net contents shall be labeled in terms of weight, volume, or number of pieces.

4.17.4 Packaged food shall be labeled with the date of manufacture, processing, packing, preparation or distribution.

4.17.5 Packaged food shall be labeled with the name of the manufacturer, processor, packer, preparer or distributor.

4.17.6 Packaged food shall be labeled with the address and telephone number of the manufacturer, processor, packer, preparer or distributor.

4.17.7 Packaged food shall be labeled with the net contents of the package.

4.17.8 Packaged food shall be labeled with the date of manufacture, processing, packing, preparation or distribution.

4.17.9 Packaged food shall be labeled with the name of the manufacturer, processor, packer, preparer or distributor.

4.17.10 Packaged food shall be labeled with the address and telephone number of the manufacturer, processor, packer, preparer or distributor.

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Section 760.3100 Meat and Poultry Labeling

Every package of meat or poultry or meat or poultry product shall comply with all labeling requirements of Section 760.110(i)(1) of this Part.

- a) All ground beef is to be labeled "Ground Beef", "Chopped Beef" or "Hamburger." When beef cheek meat (trimmed beef cheeks) is used in the preparation of chopped beef, ground beef, or hamburger, the amount of such cheek meat shall be limited to 25 percent and its presence shall be declared on the label, either contiguous to the name of the product or in the ingredient statement.

- b) It is not necessary to indicate the lean-to-fat content. However, if it is shown, the label must indicate "Not Less than % Lean," or "Not More than % Fat." An example would be:

GROUND BEEF
Not Less than 75% Lean

or

Not More than 25% Fat

- c) An added descriptive name may be used where the ground beef is prepared from a specific beef cut such as the chuck, round, sirloin, etc. An example would be:

GROUND BEEF CHUCK

or

GROUND BEEF CHUCK

Not Less than 75% Lean

- d) The label of a prepackaged product which conforms to the definition of "Beef Pattie Mix" as prescribed in Section 760.20, shall declare, in addition to the name of the product, the percentage by weight of beef contained in the product, and the common or usual name of each ingredient in decreasing order of its predominance. Binders or extenders and/or partially defatted beef fatty tissue may be used without added water, or with added water only in amounts such that the product characteristics are essentially that of a meat pattie. If displayed in bulk, a placard must be exhibited to identify the product in accordance with this rule. A sample label or placard would be:

BEEF PATTIE MIX

70% Beef

Ingredients: Beef, water
non-meat protein extenders

- e) "Seasoning: permitted in ground or chopped beef or hamburger or poultry may include salt, natural sweetness, spices, flavoring, including essential oils, oleoresins and other spice extractives, monosodium glutamate, hydrolyzed vegetable protein and similar

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flavorings when used in condimental proportions. Seasoning does not include preservatives coloring, sulfites or color enhancers.

- f) The requirements which apply to ground beef shall also apply to veal, lamb, pork or poultry if offered in the chopped or ground form. If these ground meats are merchandised as a combination package, each component must be indicated on the label. A sample label for beef, lamb, pork and poultry would be:

Ground Beef Beef
Ground Lamb Lamb
Ground Pork Pork
Ground Turkey Turkey
Ground Veal Veal

- g) Fanciful or characterizing names of ground meats or poultry are permitted, but only if they do not obscure or replace the approved name. The fanciful or characterizing name may be placed on a regular price-weight label or on a separate label but the approved identification must appear conspicuously and unobscured.

- h) No grade designation may be used for ground meat or poultry. After trimming and grinding, meat loses its grade identification and therefore does not have a grade in the ground form.

- i) "Previously Frozen" must be labeled on the package, container or wrapping, in type of uniform size and prominence so as to be readable and understood by the general public if a meat or meat food product or poultry or poultry food product has been frozen prior to sale.

- j) Meat, poultry, game birds or game animals smoked or processed as a service to the customer shall be marked with the customer's name and labeled "not for sale."

(Source: Amended at 20 ill. Reg. 3307, effective FEB 5 1996)

Section 760.3300 Curing of Meat and Poultry

- a) No retail food store shall cure meat and/or poultry on the premises of the retail food store without written approval from the Department of its designee.

- b) Any retail food store desiring to conduct curing operations on the premises shall submit a written application to the appropriate local health department for review. The application shall include the information required in this Section and shall be product specific. The local health department will perform a preliminary review of the application. The local health department shall forward the application and its recommendation regarding the application, along with any comments, to the Department for final approval. The Department may, upon request of a local health department, enter into an agreement with the local health department to allow the local

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written log:

- 4) The product must be kept separated during fermentation and drying to allow adequate air circulation during the process;
 - 5) The use of an active and pure culture must be assured to effect a rapid pH drop of the product. Use of commercially produced culture is necessary and the culture must be used according to the manufacturer's instructions;
 - 6) Determination of the pH of fermented sausages at the end of the fermentation cycle must be recorded;
 - 7) Dry (fermented) products may not be hot smoked until the curing and drying procedures are completed; and
 - 8) Semi-dry fermented sausage must be heated after fermentation to a time/temperature sufficient to meet requirements in Section 5-10.2 (Cooking Potentially Hazardous Foods).
- 4) All aspects of curing operations must be conducted in an area specifically designated for this purpose. There must be an effective separation to prevent cross contamination between raw and cooked foods or cured and uncured foods. Access to processing equipment shall be restricted to responsible trained personnel who are familiar with the potential hazards inherent in curing foods.
- 1) Any records required in this section must be retained by the retail food store for at least 6 months.

(Source: Added at 20 Ill. Reg. effective
FEB 5 1996)

3307

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Voter Registration Program
- 2) Code Citation: 89 Ill. Adm. Code 390
- 3) Section Numbers:

890.10	New
890.20	New
890.30	New
890.40	New
890.50	New
890.60	New
890.70	New
- 4) Statutory Authority: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2435/3] and the National Voter Registration Act (42 U.S.C. 1973gg, et seq.)
- 5) Effective Date of Rulemaking: February 2, 1996
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: February 2, 1996
- 9) Notice of Proposal Published in Illinois Register: September 29, 1995, 19 Ill. Reg. 13541
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: In line 115, after "vote" added "pursuant to Section 890.30 of the Part" and the last number was changed throughout the rulemaking from 810 to 890 per agreement with JCAR, Code Division and agency, when the rulemaking is adopted.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? Yes
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Pursuant to the National Voter Registration Act, DORS, as the State's lead agency in providing services to individuals with disabilities, must offer certain customers the opportunity to apply to register to vote at various times during the provision of services. These rules describe the process and procedures that will be followed by DORS.

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16) Information and questions regarding these adopted rules shall be directed to:

Name: Ms. Susan Warner, Manager
 Address: Regulations and Procedures Division
 Department of Rehabilitation Services
 P.O. Box 19429
 Springfield, Illinois 62714-9429
 Telephone: (217) 795-3236
 TTY: (217) 795-9001

The full text of the Adopted Rule begins on the next page:

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NOTICE OF ADOPTED RULES

TITLE 89: SOCIAL SERVICES
 CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
 SUBCHAPTER B: MISCELLANEOUS PROGRAMS

PART 890

VOTER REGISTRATION PROGRAM

Section

Definitions

890.10 General Authority

890.20 Opportunities for Registration to Vote

890.30 Effect on Registration to Vote on Determination of Eligibility for

890.40 DORS Services, or Receiving Continued or Further Services

890.50 Procedures for Registration to Vote

890.60 Disposition of Declaration and Registration Forms

890.70 Registration Opportunities for Students Attending DORS Residential Schools

AUTHORITY: Implementing Section 3 of the Disabled Persons Rehabilitation Act [20 ILCS 2405/3] and the National Voter Registration Act of 1993 [42 U.S.C. 19739g].

SOURCE: Emergency rules adopted at 19 Ill. Reg. 13930, effective September 25, 1995, for a maximum of 150 days; adopted at 20 Ill. Reg. **3330**, effective **FEB 2 1996**.

Section 890.10 Definitions

For the purpose of this Part, the following terms shall have the following meanings:

Customer - any individual who is 18 years of age or older and has applied for or been determined eligible to receive services through DORS Vocational Rehabilitation (VR) Program, Total Life Planning (TLP) Program, Home Services Program (HSP), or Community Residential Services for the Blind and Visually Impaired (CRSVI).

DORS Staff - for the purpose of voter registration, a rehabilitation counselor, rehabilitation instructor, career planning case coordinator, marketing and employment specialist, or any contractor determined by DORS appropriate to take applications for voter registration.

Representative - any individual designated by the customer as having the authority to sign documents related to application for voter registration on behalf of the customer.

Section 890.20 General Authority

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Pursuant to the National Voter Registration Act of 1993 (42 U.S.C. 1973gg), DORS Staff shall offer the opportunity to apply to register to vote in federal elections to any customer, as defined in Section 880.10 above.

Section 880.30 Opportunities for Registration to Vote

- a) A customer shall be offered the opportunity to apply to register to vote in federal elections only and provided a copy of his/her rights regarding registration at the following times while he/she is receiving services from DORS, as appropriate to the program through which the customer is receiving services.
 - 1) At the time of application for services.
 - 2) For a customer of the VR Program, at the time of annual review of his/her Individualized Written Rehabilitation Program (IWRR) (89 Ill. Adm. Code 572).
 - 3) For a customer of HSP, at the time of redetermination of eligibility (89 Ill. Adm. Code 698).
- b) Further, at any time the customer requests to apply to register during the period of time he/she is actively receiving services from DORS or notifies DORS of a change of address, the customer shall be provided a mail-in voter registration application.

Section 880.40 Effect on Registration to Vote on Determination of Eligibility for DORS Services, or Receiving Continued or Further Services

- a) DORS Staff shall offer the opportunity for any customer to apply to register to vote in federal elections; however, the decision to apply to register or decline to apply to register shall be the sole decision of the customer. DORS will neither persuade nor dissuade a customer in the decision.
- b) The decision to apply to register to vote shall have no bearing on the determination of the customer's eligibility for the services from DORS for which he/she has applied, nor shall it affect the customer's eligibility for future or continued services or benefits from DORS.

Section 880.50 Procedures for Registration to Vote

At each of the points of service listed in Section 880.30(a), a customer will be provided a copy and explanation of his/her rights, as they pertain to voter registration for federal elections, and will be provided a form to declare his/her choice to apply to register to vote in federal elections, or his/her declaration to apply to register to vote. The form, with the customer's choice indicated, must be dated and signed by the customer, or as appropriate, the customer's representative.

- a) If the customer, at his/her own choice, chooses to apply to register to vote in federal elections only, he/she will be given the appropriate forms to complete in private to apply to register to vote. If requested, DORS Staff will provide assistance in the completion of

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the registration forms.

- b) If the customer, at his/her own choice, declines to apply to register to vote, the DORS staff person shall ensure the declaration form is correctly completed.

Section 880.60 Disposition of Declaration and Registration Forms

- a) After completion of the declaration form described in Section 880.60 above, the form shall be retained by DORS in a confidential manner separate from the customer's case record and for a minimum of 2 years. The form shall be retained by DORS for the purpose of statistical reporting and to verify an individual customer's choice regarding application to register to vote.
- b) If the customer has chosen to apply to register to vote, and completes the registration form prescribed by the Illinois State Board of Elections, the forms shall be forwarded to the appropriate election authority, in a manner to protect the confidentiality of the customer, to process the customer's registration.
- c) Pursuant to the time frames established by the Illinois State Board of Elections for the transmission of applications for voter registration for federal elections only at 26 Ill. Adm. Code 215, DORS shall submit completed applications to the local election officials as follows:
 - 1) within 10 days after the date of receipt if received by DORS 5 or more days prior to the close of voter registration or
 - 2) within 5 days if received 5 days or less from the close of voter registration.

Section 880.70 Registration Opportunities for Students Attending DORS Residential Schools

In addition to the opportunities given DORS' customers to register to vote under the National Voter Registration Act of 1993 (42 U.S.C. 1973gg), all students who are at least 18 years of age who are attending the Illinois School for the Deaf, the Illinois School for the Visually Impaired, or the Illinois Center for Rehabilitation and Education-Roosevelt will be given the opportunity to register to vote pursuant to Section 880.30 of this Part.

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF EMERGENCY AMENDMENTS

1) Heading of the Part: Operating Procedures for the Administration of Federal Funds

2) Code Citation: 20 Ill. Adm. Code 1520

3) Section Numbers:

1520.10 Emergency Action:
Amendment
1520.47 New Section
1520.50 Amendment

4) Statutory Authority: Implementing and authorized by the Illinois Criminal Justice Information Act (20 ILCS 3930).

5) Effective Date of Amendments: February 2, 1996

6) If these emergency amendments are to expire before the end of the 150-day period, please specify the date on which they expire: Not applicable.

7) Date filed in Agency's Principal Office: February 2, 1996

8) Reason for Emergency: The Violence Against Women Act of 1994 (P.L. 103-322, effective September 13, 1994) provides for State and local assistance for strengthening law enforcement, prosecution and victim services in cases involving violent crimes against women, particularly crimes of sexual assault and domestic violence. Under this federal statute, the Bureau of Justice Assistance is authorized to make awards to states to combat violent crimes against women. Under the Violence Against Women Act of 1994, seven broad purpose areas for funding impact directly on the public interest and welfare with respect to combatting violent crimes against women.

The Illinois Criminal Justice Information Authority (Authority) has been designated to receive Violence Against Women Act of 1994 funds made available for the State of Illinois and to establish priorities for the disbursement of those funds.

In order that the Authority may begin disbursing funds in the most efficient and fiscally responsible manner, the Authority needs to have in place operating procedures for the administration of the federal funds. With these operating procedures in place, the Authority may help State agencies, units of local government, and nonprofit, nongovernmental victim service programs in combatting violent crimes against women.

For the foregoing reasons, the Authority finds that there exists a situation that constitutes a threat to the public interest and welfare within the meaning of Section 5-45 of the Illinois Administrative Procedure Act (5 ILCS 100/5-45).

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9) A Complete Description of the Subjects and Issues Involved: Delineates operating procedures for the administration of Violence Against Women Act of 1994 (P.L. 103-322, effective September 13, 1994) federal grant funds to State agencies, units of local government, and nonprofit, nongovernmental victim services programs, and appeals taken thereon.

10) Are there any proposed amendments to this Part Pending: No

11) Statement of Statewide Policy Objectives: These rules are being proposed to inform prospective recipients and grantees of Violence Against Women Act of 1994 federal grant funds administered by the Illinois Criminal Justice Information Authority of the procedures and requirements which will control the administration of those funds.

12) Information and questions regarding these amendments shall be directed to:

Kristi J. Kangas, Legal Advisor
Illinois Criminal Justice Information Authority
120 S. Riverside Plaza
Chicago, IL 60606-3997
(312) 793-8550

The full text of the emergency amendments begins on the next page:

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF EMERGENCY AMENDMENTS

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE AND LAW ENFORCEMENT
CHAPTER II: ILLINOIS CRIMINAL JUSTICE
INFORMATION AUTHORITY

PART 1520

OPERATING PROCEDURES FOR THE ADMINISTRATION OF FEDERAL FUNDS

Section

1520.10 Purpose and Authorization

EMERGENCY

1520.20 Definitions

1520.30 Application and Receipt of Justice Assistance Act of 1984 Funds

1520.40 Application and Receipt of Victims of Crime Act of 1981 Funds

1520.45 Application and Receipt of State and Local Law Enforcement Assistance Act of 1986 Funds

1520.46 Application and Receipt of Anti-Drug Abuse Act of 1988 Funds

1520.47 Application and Receipt of Violence Against Women Act of 1994 Funds

EMERGENCY

1520.50 Administration of Federal Funds

EMERGENCY

1520.60 Appeals

AUTHORITY: Implementing and authorized by the Illinois Criminal Justice Information Act (20 ILCS 3200).

SOURCE: Emergency rules adopted at 9 Ill. Reg. 15418, effective September 30, 1985; new rules adopted at 10 Ill. Reg. 10546, effective June 3, 1986; emergency amendments at 11 Ill. Reg. 9626, effective April 29, 1987, for a maximum of 150 days; emergency expired September 26, 1987; amended at 12 Ill. Reg. 8643, effective May 3, 1988; emergency amendments at 13 Ill. Reg. 1605, effective January 24, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 5926, effective April 17, 1989; emergency amendments at 20 Ill. Reg. _____, effective February 2, 1996, for a maximum of 150 days.

Section 1520.10 Purpose and Authorization

EMERGENCY

a) The Illinois Criminal Justice Information Authority (Authority) establishes this part to exercise its responsibility to apply for, receive, establish priorities for, allocate, disburse and spend grant funds that are made available by...the United States pursuant to the federal Crime Control Act of 1973 (P.L. 93-83), as amended, and similar federal legislation, and to enter into agreements with the United States Government to further the purposes of the Act, or as may be required as a condition of obtaining federal funds... (111-Rev-Stat-1987-ch-98-par-210-744, [20 ILCS 930.7(a)]

b) Pursuant to the Organizational rules of the Illinois Criminal Justice Information Authority (2 Ill. Adm. Code 1750.340), the Budget

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Committee has the duty to oversee the grant award procedures of the Authority. This duty includes responsibility for establishing grant award procedures, submission of the Applications for funds and oversight of the grant award procedures for Justice Assistance Act of 1984 (P.L. 98-473, effective October 12, 1984) Victims of Crime Act of 1984 (P.L. 98-473, effective October 12, 1984), State and Local Law Enforcement Assistance Act (P.L. 99-570, effective October 27, 1986), and Anti-Drug Abuse Act of 1988 (P.L. 100-632, effective November 18, 1988), and Violence Against Women Act of 1994 (P.L. 103-225, effective September 13, 1994) funds.

3335 =

(Source: Emergency amendment at 20 Ill. Reg. February 2, 1996, for a maximum of 150 days)

Section 1520.47 Application and Receipt of Violence Against Women Act of 1994 Funds

EMERGENCY

a) The Authority will annually review Section 2001 of the Violence Against Women Act of 1994 (P.L. 103-225, effective September 13, 1994) and, based on the need to strengthen law enforcement, prevention, and victim services in cases involving violent crimes against women, particularly crimes of sexual assault and domestic violence, the services available to address battered women, rape victims, and non-governmental victim service programs, and state and federal Open Meetings Act (5 ILCS 120), will select certain public entities for each federal fiscal year. Such funding priorities shall be selected by the Authority at a public meeting in accordance with the Open Meetings Act and the Authority's Rules (2 Ill. Adm. Code 1750.230).

b)

Federal funds made available to the State of Illinois pursuant to the Violence Against Women Act of 1994 may be distributed to state agencies, units of local government, and public entities, through a victim services program, in distributing funds, the Authority shall give priority to areas of varying severity and size, and the needs, consider the population to be served, within a geographic area, assure that the needs of previously underserved populations are identified and addressed, and establish a priority basis on a geographic basis, including non-urban and rural areas of varying geographic sizes. Based on the funding priorities selected by the Authority pursuant to subsection (a), above, the Executive Director shall use the following evaluation criteria to identify those state agencies, units of local government, and public entities which victim services programs eligible for the receipt of federal funds: 1) analysis of need as evidenced by public health data, law enforcement orders of protection, and demographic and criminal justice data;

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is the designated implementing agency, then the Executive Director shall document such terms and conditions, which, to become effective, must be accepted in writing by the Chairman of the Authority. The terms and conditions shall include but not be limited to reporting requirements that reflect fiscal expenditures and progress toward program objectives, compliance with applicable laws and regulations, maintenance of financial and program records beyond the expiration of the agreement, the prohibition of subcontracting or assignment of agreements without prior written approval of the Authority, audit procedures as described in the federal laws and regulations listed in Section 1520.50(a), and the status of the implementing agency as an independent contractor.

(Source: Emergency amendment at 20 Ill. Reg. **3335**, effective February 2, 1996, for a maximum of 150 days)

Section 1520.50 Administration of Federal Funds

EMERGENCY

a) All implementing agencies shall operate in conformance with the following state and federal laws, rules, regulations and guidelines, when applicable, hereby incorporated by reference: the Justice Assistance Act of 1984; the Victims of Crime Act of 1984; the State and Local Law Enforcement Assistance Act of 1986; the Anti-Drug Abuse Act of 1988; the Violence Against Women Act of 1994; the Office of Justice Programs, Financial and Administrative Guide for Grants Management and Budget Circular A-128 (50 FR 19114, effective April 12, 1985); the Illinois Grant Funds Recovery Act [30 ILCS 705] (1987 Stat. 1987-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000-2001-2002-2003-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-2493-2494-2495-2496-2497-2498-2499-2500-2501-2502-2503-2504-2505-2506-2507-2508-2509-2510-2511-2512-2513-2514-2515-2516-2517-2518-2519-2520-2521-2522-2523-2524-2525-2526-2527-2528-2529-2530-2531-2532-2533-2534-2535-2536-2537-2538-2539-2540-2541-2542-2543-2544-2545-2546-2547-2548-2549-2550-2551-2552-2553-2554-2555-2556-2557-2558-2559-2560-2561-2562-2563-2564-2565-2566-2567-2568-2569-2570-2571-2572-2573-2574-2575-2576-2577-2578-2579-2580-2581-2582-2583-2584-2585-2586-2587-2588-2589-2590-2591-2592-2593-2594-2595-2596-2597-2598-2599-2600-2601-2602-2603-2604-2605-2606-2607-2608-2609-2610-2611-2612-2613-2614-2615-2616-2617-2618-2619-2620-2621-2622-2623-2624-2625-2626-2627-2628-2629-2630-2631-2632-2633-2634-2635-2636-2637-2638-2639-2640-2641-2642-2643-2644-2645-2646-2647-2648-2649-2650-2651-2652-2653-2654-2655-2656-2657-2658-2659-2660-2661-2662-2663-2664-2665-2666-2667-2668-2669-2670-2671-2672-2673-2674-2675-2676-2677-2678-2679-2680-2681-2682-2683-2684-2685-2686-2687-2688-2689-2690-2691-2692-2693-2694-2695-2696-2697-2698-2699-2700-2701-2702-2703-2704-2705-2706-2707-2708-2709-2710-2711-2712-2713-2714-2715-2716-2717-2718-2719-2720-2721-2722-27

ILLINOIS CRIMINAL JUSTICE INFORMATION AUTHORITY

NOTICE OF EMERGENCY AMENDMENTS

- d) The Executive Director shall immediately terminate any interagency agreement for any reason of nonconformance specified in subsection (b) above, if performance of the agreement has been suspended on at least one prior occasion or if such nonconformance cannot be corrected by the implementing agency in less than ~~twenty-eight~~ 29+ days from the date of termination. Written notice of such termination by the Executive Director shall be submitted to the implementing agency and members of the Budget Committee as soon as possible, but within five 4+ working days.
- e) The Executive Director shall approve any revision to an interagency agreement if such action is necessary to fulfill the terms of the agreement. Material revisions shall be referred to the Budget Committee members at or before the next Budget Committee meeting. However, if a request for an interagency agreement for a material revision to an interagency agreement is denied by the Executive Director, written notice of such denial shall be submitted to the implementing agency and members of the Budget Committee as soon as possible, but within five 4+ working days.

(Source: Emergency Amendment to 10 Ill. Reg. **3335**, effective February 2, 1996, for a period of 150 days)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF REFUSAL
TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES

- 1) Heading of the Part: Private Detective, Private Alarm and Private Security Act of 1993

- 2) Code Citation: 68 Ill. Adm. Code 1240

- | Section Numbers: | Action: |
|------------------|---------|
| 1240.10 | Refusal |
| 1240.15 | Refusal |
| 1240.16 | Refusal |
| 1240.40 | Refusal |
| 1240.46 | Refusal |

- 4) Date Notice of Proposal Published in the Illinois Register:

September 22, 1995, at 19 Ill. Reg. 13187

- 5) Date JCAR Statement of Objection Published in the Register:

December 29, 1995, at 19 Ill. Reg. 17204

- 6) Summary of Action Taken by the Agency:

The Department of Professional Regulation refuses to modify or withdraw Sections 1240.10, 1240.15, 1240.16, 1240.40 and 1240.46 in response to the objection of the Joint Committee on Administrative Rules.

JCAR objected to the above cited Sections, saying the rulemaking violates the intent of the authorizing statute (225 ILCS 446/80) that an applicant for employee licensure can be scheduled for work as soon as "an application for a permanent employee registration card, including the required fingerprint card and fees" is submitted to DPR. This rulemaking's reliance on the livescan fingerprinting can cause as much as a 10 day delay in the submission of fingerprints. JCAR contends the delay in the ability to be scheduled for work that will be caused by a delay in fingerprinting is clearly not contemplated by this statute.

Section 80(k) of the Act states that no agency may employ any person under this Act unless the person possess a valid permanent employee registration card or the agency on behalf of each person completes in its entirety and submits to the Department an application for a permanent employee registration card, including the required fingerprint card and fees. Section 80(1) states that "failure of an agency to submit the application, fees, and fingerprints specified in this Section before scheduling the person for work shall result in a fine, in an amount up to \$1,000, or other disciplinary action being imposed against the agency." Although the

DEPARTMENT OF PROFESSIONAL REGULATION

effect of this provision has allowed agencies to employ security guards without delay, the Department does not believe that such was the actual intent of this statute. Rather the Department believes that the intent of this Section is to ensure that the Department possesses a means to verify the identity of the applicant and to perform a criminal history check, whether by hand rolled or scanned prints, in order to protect Illinois citizens.

The court has ruled in favor of the Department in Intercon Security, Inc. et al vs. Department of Professional Regulation of the State of the State of Illinois, No. 95 Ch 9125 in the Circuit of Cook County, stating that the legislature did not intend to give a literal interpretation of fingerprint cards as it is not a term of art precluding any other of providing the required fingerprints.

The contract between the Illinois Department of State Police and the Innovative Archival Solutions state that all applicants have to be fingerprinted within 10 days of their calling for an appointment. The industry has indicated that it takes longer and they can't get appointments. Innovative Archival Solutions has 28 locations in Illinois where individuals can have livescan fingerprints taken. All appointments can be scheduled the next day within Cook County as long the applicant is available. The vendor also has portable machines. In figures obtained from Innovative Archival Solutions, approximately 33% of the appointments are scheduled the first or second day; 40% are completed within 5 days; and the remainder fall within 6 to 10 or more days and are by choice, not necessity. Livescan prints will be accepted from other sources as long as they are connected to the service through the State Police.

One suggested offered by the industry was that the Department accept the fingerprint appointment card in lieu of the actual verification of fingerprint processing. Making an appointment in no way insures that an applicant will show up for the livescan. According to IAS figures, DPR applicants have a 31.6% no show rate. Once again the individuals would be working in violation of the Act and no criminal history check would be in process.

Another suggestion was to have licensed agencies maintain a fingerprint card in the agency file, submit the applicant to the Department and schedule the individual for a livescan print. Many agencies do not roll their own prints and would be required to pay someone to roll prints and to pay livescan. This would be a duplication of services.

The Department and the Illinois Department of State Police will continue to meet with industry to help resolve some of the industry problems relating to fingerprints. The State Police anticipates allowing more livescan machines in more places. It is conceivable that agencies would have their own machines in house to take fingerprints.

The State Police will be proposing rules to further define the fingerprint

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process.

The intent of the Private Detective, Private Alarm, Private Security, and Locksmith Act of 1993 is to protect the health, safety and welfare of the people of the State of Illinois. This intent would be thwarted by allowing individuals to work before the Department possesses the means to perform a criminal history background check.

ATTORNEY GENERAL

REQUEST FOR EXPEDITED CORRECTION

1) Heading of the Part: Franchise Disclosure Act

2) Code Citation: 14 Ill. Adm. Code 200

3) Section Numbers:

200.604

200.Appendix A, Illustration L

200.Appendix B, Illustration A

200.Appendix B, Illustration C

4) Date Proposal published in Illinois Register: June 6, 1995; 19 Ill. Reg. 7647

5) Date Adoption published in Illinois Register: December 29, 1995; 19 Ill. Reg. 16950

6) Summary and Purpose of Expedited Correction: After adoption of the above captioned rulemaking, nonsubstantive errors in printing were disclosed concerning text proposed at First Notice on June 6, 1995, but inadvertently omitted upon adoption at 19 Ill. Reg. 16950 (December 12, 1995 *Illinois Register*). The Office of the Attorney General has discovered four nonsubstantive errors in adopted rule text that create an unintentional discrepancy between adopted rule text and text previously published in the *Illinois Register* and text referenced which has been previously repealed. The printing errors and the discrepancies fulfill the criteria for expedited correction stated in Section 5-85(b) of the IAPA [5 ILCS 100/5-85(b)].

7) Information and questions regarding this request shall be directed to:

Robert Tingler
Chief, Franchise Bureau
Office of the Attorney General
100 West Randolph
Chicago, IL 60601
(312) 814-3000

ATTORNEY GENERAL

REQUEST FOR EXPEDITED CORRECTION

TITLE 14: COMMERCE

SUBTITLE A: REGULATION OF BUSINESS

CHAPTER II: ATTORNEY GENERAL

PART 200

FRANCHISE DISCLOSURE ACT

SUBPART A: DEFINITIONS

Section	
200.100	Act
200.101	Disclosure Statement
200.102	Marketing Plan or System
200.103	Substantially Associated
200.104	Franchise Fee
200.105	Absence of Fee Exclusion
200.106	Bona Fide Wholesale and Retail Price
200.107	Established Market
200.108	Indirect Franchise Fee
200.109	Consideration
200.110	Material Change
200.112	Administrator
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SUBPART B: OPINIONS, EXEMPTIONS

Section	
200.200	Interpretive Opinions and No Action Letters
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SUBPART C: ADVERTISING

Section	
200.300	Deceptive Practices
200.301	Statements of Profitability
200.302	Opinions of Counsel
200.303	Inconsistencies with Disclosure Statement
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200.305	Filing Requirements

SUBPART D: HEARINGS

Section	
200.400	Preamble
200.401	Party

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200.402 Hearing Officer
 200.403 Office
 200.404 Hearing Requests
 200.405 Notice of Hearing
 200.406 Requirements Relating to Continuances
 200.407 Rules of Evidence in Hearings
 200.408 Record of Proceedings
 200.409 Record of Hearing
 200.410 Duties of Hearing Officer
 200.411 Final Administrative Decision

SUBPART E: DENIAL BASED ON FINANCIAL STATEMENTS,
 ESCROW, GUARANTY, SURETY BOND

Section
 200.500 Assurance of Financial Ability to Fulfill Obligations
 200.502 Escrow of Funds
 200.503 Release of Escrowed Funds
 200.504 Guarantee of Performance
 200.505 Performance or Surety Bond
 200.506 Certificate of Deposit
 200.507 Release of Certificate of Deposit
 200.508 Deferral of Franchise Fee

SUBPART F: REGISTRATION REQUIREMENTS

Section
 200.600 Original Registration
 200.602 Notification of Registration
 200.603 Annual Report
 200.604 Amendment Application
 200.605 Final Circular Submission
 200.606 Multiple Filings
 200.607 Public Examination and Photocopying of Disclosure Statements
 200.608 Jurisdiction and Venue
 200.609 Waiver

SUBPART G: AREA FRANCHISE AND SUBFRANCHISE REGISTRATION
 REQUIREMENTS-RESPONSIBILITIES FOR FILING

Section
 200.701 Number of Applications
 200.702 Responsibility for Filing the Application
 200.703 Time for Filing the Application (Repealed)

SUBPART H: FAILURE TO DILIGENTLY PROSECUTE APPLICATION

Section
 200.800 Failure to Diligently Prosecute Application

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SUBPART I: REGISTRATION OF FRANCHISE BROKERS

Section
 200.900 Documents to File
 200.901 Notice of Broker Registration

APPENDIX A Franchise Registration Forms
 ILLUSTRATION A Uniform Franchise Registration Application Page
 ILLUSTRATION B Supplemental Information
 ILLUSTRATION C Salesperson Disclosure
 ILLUSTRATION D Uniform Consent to Service of Process
 ILLUSTRATION E Corporate Acknowledgment
 ILLUSTRATION F Individual or Partnership Acknowledgment
 ILLUSTRATION G Certification Page
 ILLUSTRATION H Consent of Accountant
 ILLUSTRATION I UFOC Cross Reference Sheet (Repealed)
 ILLUSTRATION J FTC Cross Reference Sheet (Repealed)
 ILLUSTRATION K Acknowledgment of Receipt (Suggested Format) (Repealed)
 ILLUSTRATION L Requirements for Preparation of a Uniform Franchise Offering Circular
 ILLUSTRATION M Joint Venture Agreement & Acknowledgment
 ILLUSTRATION N Limited Partnership Acknowledgment

APPENDIX B Franchise Broker Registration Forms
 ILLUSTRATION A Franchise Broker Registration Application Page
 ILLUSTRATION B Broker Authorization
 ILLUSTRATION C Franchise Broker Surety Bond
 ILLUSTRATION D Broker Guaranty of Performance

APPENDIX C Escrow Forms
 ILLUSTRATION A Escrow Agreement
 ILLUSTRATION B Franchisor's Petition for Release of Escrowed Funds
 ILLUSTRATION C Franchisee's Petition for Release of Escrowed Funds

APPENDIX D Guaranty Forms
 ILLUSTRATION A Guaranty of Performance
 ILLUSTRATION B Corporate Resolution
 ILLUSTRATION C Secretary's Certificate

APPENDIX E Surety Bond
 APPENDIX F Certificate of Deposit Forms
 ILLUSTRATION A Franchisor's Petition for Release of Certificate of Deposit
 ILLUSTRATION B Franchisee's Petition for Release of Certificate of Deposit

AUTHORITY: Implementing and authorized by the Franchise Disclosure Act of 1987 (815 ILCS 705).

SOURCE: Filed April 25, 1977, effective May 5, 1977, by the Office of the Secretary of State; transferred to the Attorney General by P.A. 80-31, effective February 28, 1978; rules repealed, new rules adopted and codified at 8 Ill. Reg. 1367, effective January 13, 1984; emergency amendments at 12 Ill. Reg. 1124, effective January 1, 1988, for a maximum of 150 days; amended at 13 Ill. Reg. 9424, effective May 18, 1988; amended at 13 Ill. Reg. 15365,

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effective September 19, 1989; peremptory amendment at 18 Ill. Reg. 2522, effective January 31, 1994; amended at 19 Ill. Reg. 16950, effective January 1, 1996; expedited correction at 20 Ill. Reg. _____, effective January 1, 1996.

SUBPART F: REGISTRATION REQUIREMENTS

Section 200.604 Amendment Application

- a) The following materials must be submitted to the administrator to amend its disclosure statement.

- 1) Two complete copies of the Disclosure Statement containing the changes. One copy is to have all changes underlined in red;
 - 2) An Application page, Appendix A, Illustration A;
 - 3) A Certification page, Appendix A, Illustration G #;
 - 4) A nonrefundable filing fee:
 - A) \$25.00 for an immaterial amendment;
 - B) \$100.00 for a material amendment; and
 - 5) A cover letter detailing the amendment.
- b) A disclosure document cannot be amended by addendum.

(Source: Expedited correction at 20 Ill. Reg. _____, effective January 1, 1996)

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Section 200. APPENDIX A Franchise Registration Forms

Section 200. ILLUSTRATION L Requirements for Preparation of a Uniform Franchise Offering Circular

[EDITOR'S NOTE: BECAUSE OF THE LENGTH OF APPENDIX A, ILLUSTRATION L, THE ENTIRE ILLUSTRATION IS NOT BEING PRINTED HERE. RATHER, AS THE ILLUSTRATION IS DIVIDED INTO DISCUSSIONS OF VARIOUS ITEMS, ONLY THE RELEVANT ITEM IS BEING PRINTED]

Item 19

EARNINGS CLAIMS

A. AN EARNINGS CLAIM MADE IN CONNECTION WITH AN OFFER OF A FRANCHISE MUST BE INCLUDED IN FULL IN THE OFFERING CIRCULAR AND MUST HAVE A REASONABLE BASIS AT THE TIME IT IS MADE. IF NO EARNINGS CLAIM IS MADE, ITEM 19 OF THE OFFERING CIRCULAR MUST CONTAIN THE NEGATIVE DISCLOSURE PRESCRIBED IN THE INSTRUCTION.

Item 19A Instructions:

- i. Definition: "Earnings claim" means information given to a prospective franchisee by, on behalf of or at the direction of the franchisor or its agent, from which a specific level or range of actual or potential sales, costs, income or profit from franchised or non-franchised units may be easily ascertained.

A chart, table or mathematical calculation presented to demonstrate possible results based upon a combination of variables (such as multiples of price and quantity to reflect gross sales) is an earnings claim subject to this item.

An earnings claim limited solely to the actual operating results of a specific unit being offered for sale need not comply with this item if it is given only to potential purchasers of that unit and is accompanied by the name and last known address of each owner of the unit during the prior three years.

- ii. Supplemental earnings claim: If a franchisor has made an earnings claim in accordance with this Item 19, the franchisor may deliver to a prospective franchisee a supplemental earnings claim directed to a particular location or circumstance, apart from the offering circular. The supplemental earnings claim must be in writing, explain the departure from the earnings claim in the offering circular, be

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prepared in accordance with this Item 19, and be left with the prospective franchisee.

iii. Scope of requirement: An earnings claim is not required in connection with the offer of franchises; if made, however, its presentation must conform with this Item 19. If an earnings claim is not made, then negative disclosure 19 (below) must be used.

iv. Claims regarding future performance: A statement or prediction of future performance that is prepared as a forecast or projection in accordance with the statement on standards for accountants' services on prospective financial information (or its successor) issued by the American Institute of Certified Public Accountants, Inc., is presumed to have a reasonable basis.

v. Burden of proof: The burden is upon the franchisor to show that it had a reasonable basis for its earnings claim.

[NEGATIVE DISCLOSURE 19]

REPRESENTATIONS REGARDING EARNINGS CAPABILITY

Belmont does not furnish or authorize its salespersons to furnish any oral or written information concerning the actual or potential sales, costs, income or profits of [a Belmont muffler shop]. Actual results vary from unit to unit and Belmont cannot estimate the results of any particular franchise.

B. AN EARNINGS CLAIM SHALL INCLUDE A DESCRIPTION OF ITS FACTUAL BASIS AND THE MATERIAL ASSUMPTIONS UNDERLYING ITS PREPARATION AND PRESENTATION.

Item 19B Instructions:

i. Factual Basis: The factual basis of an earnings claim includes significant matters upon which a franchisee's future results are expected to depend. This includes, for example, economic or market conditions which are basic to a franchisee's operation and encompass matters affecting, among other things, franchisee's sales, the cost of goods or services sold and operating expenses.

In the absence of an adequate operating experience of its own, a franchisor may base an earnings claim upon the results of operations of a substantially similar business of a person affiliated with the franchisor or franchisees of that person; provided that disclosure is made of any material differences in the economic or market conditions

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known to, or reasonably ascertainable by, the franchisor.

ii. Basic Disclosures: The earnings claim must state:

- a. Material assumptions, other than matters of common knowledge, underlying the claim (see Definition iii under Item 3 for the definition of "material");
- b. A concise summary of the basis for the claim including a statement of whether the claim is based upon actual experience of franchised units and, if so, the percentage of franchised outlets in operation for the period covered by the earnings claim that have actually attained or surpassed the stated results;
- c. A conspicuous admonition that a new franchisee's individual financial results are likely to differ from the result stated in the earnings claim; and
- d. A statement that substantiation of the data used in preparing the earnings claim will be made available to the prospective franchisee on reasonable request.

(Source: Expedited correction at 20 Ill. Reg. _____, effective January 1, 1996)

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Section 200.APPENDIX B Franchise Broker Registration Forms

Section 200.ILLUSTRATION A Franchise Broker Registration Application Page

File No. _____

(Insert file number of previous filings of Applicant, if any)

FEE: _____

(To be enclosed by Applicant at time application is initially filed)

Date of _____

Application: _____

1. Name of Franchise Broker. _____

Name under which the Franchise Broker is doing or intends to do business. _____

2. Franchise ~~Franchisor~~ Broker's principal business address. _____Name and address of ~~Franchise Franchisor~~ Broker's agent in the State of Illinois authorized to receive process. _____

Illinois Attorney General, 500 South Second Street, Springfield, Illinois 62706

3. Name, address and telephone number of person to whom communications regarding this application should be directed. _____

(Source: Expedited correction at 20 Ill. Reg. _____, effective January 1, 1996)

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REQUEST FOR EXPEDITED CORRECTION

Section 200.ILLUSTRATION C Franchise Broker Surety Bond

We, _____, as principal, and _____, a corporation, with principal offices at _____, incorporated under the laws of the State of _____, a Surety Company conduct business in the State of Illinois as Surety, are bound to the Illinois Attorney General, Oblige in the sum of _____ to be paid to the Oblige or its legal representatives, successors, or assigns, for which payment we bind ourselves and our legal representatives and successors, jointly and severally.

WHEREAS, the above-named principal has made application to the Illinois Attorney General for registration as a franchise broker under the Illinois Franchise Disclosure Act [815 ILCS 705] ~~7111-Rev--Stat--1987--ch--121--1727 par--716-1~~ and is required pursuant to the Rules and Regulations promulgated under the Illinois Franchise Disclosure Act to post bond in the amount of _____.

WHEREAS, the Oblige intends to assign this bond to the respective purchaser(s) of the aforementioned franchise upon sale of the aforementioned franchise(s) to said purchaser(s).

THEREFORE, the condition of this obligation is that the principal:

1. Comply with the Illinois Franchise Disclosure Act and Regulations promulgated thereunder; and
2. Pay all damages suffered by any person by reason of the Broker's violation of said Illinois Franchise Disclosure Act or any Rules or Regulations promulgated thereunder or any acts, rules, regulations, or orders amendatory thereof, and/or supplementary thereto, or hereafter enacted, or by reason of any misrepresentation, deceit, fraud or omission to state a material fact necessary in order to make any statement made, in the light of the circumstances under which such statement was made, not misleading.

This bond and obligation hereunder shall be deemed to run continuously and shall remain in full force and effect for four full years after the date of execution shown below.

In the event that any action or proceeding is initiated with respect to this bond, the parties agree that the venue thereof shall be the County in which the offer or sale of the franchise occurred.

IN WITNESS WHEREOF, Principal and Surety have executed this instrument at _____ this _____ day of _____, 19____.

Principal

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Surety

(Source: Expedited correction at 20 Ill. Reg. _____, effective
January 1, 1996)

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

NOTICE OF NAMES OF PERSONS APPEARING
TO BE OWNERS OF UNCLAIMED PROPERTY WHOSE
LAST KNOWN ADDRESSES ARE IN CERTAIN STATES

TITLE 38: FINANCIAL INSTITUTIONS
CHAPTER I: DEPARTMENT OF FINANCIAL INSTITUTIONS

Pursuant to statutory requirement, the Illinois Department of Financial Institutions is publishing the names and last known addresses of unclaimed property owners whose last known addresses are allegedly in a state other than Illinois. The other state does not have a reciprocity arrangement with Illinois.

If your name or that of a person you represent appears below, you may contact the Department for further information about the assets.

INQUIRIES MUST BE IN WRITING. The written inquiry should include the name and address as listed, and the correct name and address for reply. If inquiring about a name other than your own, you must indicate your authority to act on behalf of that person.

Address written inquiries to:

UNCLAIMED PROPERTY DIVISION
DEPARTMENT OF FINANCIAL INSTITUTIONS
P.O. Box 19495
Springfield, Illinois 62794-9495

AUTHORITY: Implementing and required by the Illinois Uniform
Disposition of Unclaimed Property Act [765 ILCS 1025/12].

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

ABALOS	REMEDIOS	B BUSHEHR NAVAL DOCKYRD BUSHEHR IRAN	FA 00000-0000
ABMOLIERELAAN	KAREL	G 124 1060 BRUSSEL BELGIUM	FA 00000-0000
ABRAHAMSON	LEANORE	H RYDAL EAST APT 503 JENKINTOWN	PA 19046-0000
ADKINS	ANTHONY	G A BTRY 3 9TH FA FT SILL	OK 73503-0000
ADVANCE MORTGAGE CORP		PO BOX 146 DETROIT	MI 48264-0000
ADVANCE MTG		PO BOX 146 DETROIT	MI 48232-0000
ADVANCE MTGE		PO BOX 146 DETROIT	MI 48264-0000
AIELLO	CATHERINE	NSGA BOX 541 WINTER HARBOR	ME 04693-0000
AIKEN	WALTER	R 4902 MONROE ST BLADENSBURG	MD 20710-0000
AKIN	GREGORY	S 520 N W BRENTWOOD DALLIS	OR 97338-0000
ALABBAD	ABDULLAH	PO BOX 275 ALKHOBAR	FA 00000-0000
ALEXANDER	JERRY	4831 N CAMAC ST PHILA	PA 00000-0000
ALFARO	ISRAEL	CCO 2 14TH 10TH MAINT DIV FT BENNING	GA 31905-0000
ALHANI	FAHAD	M PO BOX 5161 DOHA QATAR	FA 00000-0000
ALI	GULSHAN	M 320 BREMEN DR HURST	TX 76054-2228
ALI	NAZIM	M 320 BREMEN DR HURST	TX 76054-2228

DEPARTMENT OF FINANCIAL INSTITUTIONS

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ALIMONOS	JAMES	PO BOX 366 BRATTLEBORO	VT 05302-0000
ALIMONOS	WILLIAM	PO BOX 366 BRATTLEBORO	VT 05302-0000
ALLAH	MAJESTIC	B A CO 24TH SIGNAL BN FT STEWART	GA 31314-0000
ALLAIN	JENNIFER	A 8 APACHE TRL FREEHOLD	NJ 07728-0000
ALLAIN	NANCY	J 8 APACHE TRL FREEHOLD	NJ 07728-0000
ALLEN	RANDY	L 106 ANTHONY DR THIBODAUX	LA 70301-0000
ALLUM	GEORGINA	N 154 OXFORD ST LONDON ONTARIO	FA 00000-0000
ALVAREZ	ELESIO	1536 GESSNER 66 HOUSTON	TX 77080-0000
AMBASSADOR NEW VENDING		2911 NORTH HILLS DR NE ATLANTA	GA 30305-0000
AMENDOLA	LOUIS	5 GENEVA TRAIL LK HOPATCONG	NJ 07849-0000
AMERICAS MORT CO		PO BOX 9411 GAITHERSBURG	ME 20898-0000
ANANDARAJAH	ARUMUGAM	SURREY CRO 3BF UNITED KINGDOM	FA 00000-0000
ANDERSON	DONALD	HQ BTRY 1 2 FA 2 AD FT HOOD	TX 76544-0000
ANDERSON	KELLEY	S PSC 1 BOX 4191 BARKSDALE AFB	LA 71110-0000
ANDERSON	MARY	N 33 N 22ND EAST ORANGE	NJ 07017-0000
ANDERSON	PEARL	9402 SYNOTT RD 504 HOUSTON	TX 77083-0000

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ANDERSON CLAYTON & CO	PO BOX 2538 HOUSTON	TX	77252-0000
ANDRE & BEATREL	PO BOX 42637 TUCSON	AZ	85751-0000
ANGEL	L 277 CROSSKEYS ROAD RD BERLIN	NJ	08009-0000
APOGEE INVESTMENTS LTD	399 NIAGARA ST WINNIPEG MANITOBA CAN FA 00000-0000		
ARAMBURG	A SAN TSICHO 1675 AVE 2 DE MARFO LIMA PERU	FA	00000-0000
ARCHIBEQUE	C A BTRY 1 78TH FA FT SILL	OK	73503-0000
ARNOLD	WINDSOR 254 BELLEVUE ONTARIO CANADA	FA	00000-0000
ARTHUR	A 859 CARRIE 305 NELSON BC V9A5R CANAD FA 00000-0000		
ARTHUR	L 808 STETSON DR KILLEEN	TX	76541-0000
ARTIS	E PO BOX 22573 SAVANNAH	GA	31403-0000
ASAY	645 PIONEER LANE COLORADO SPRINGS	CO	80904-0000
ASHTON	T OXFORD ENGLAND CHELTENHAM GLOS ENGLA FA 00000-0000		
ASI	25 MAIN STREET PO BOX 972 KEOKUK	IA	52632-0000
ASKEW	C CO 2 29TH INF FT BENNING	GA	31905-0000
ASSN NATL MORT CORP	PO BOX 650001 DALLAS	TX	75276-0000
ASSOCIATED ACCEPTANCE	L4118 CARR STREET WAVERTON NSW AUSTR FA 00000-0000		

DEPARTMENT OF FINANCIAL INSTITUTIONS			
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ASSOCIATES NATIONAL MT	PO BOX 650001 DALLAS	TX	75265-0000
ATHANS	ANDREAS POST RESTAND FILIATRA TRIFYLIAS GREECE	FA	00000-0000
ATHANSOPOULOS	GEORGIA A POST RESTAND FILIATRA TRIFYLIAS GREECE	FA	00000-0000
ATLANTEX PROFIT SHARING	4505 COMMERCE DR SW ATLANTA	GA	30336-0000
ATT INFORMATION SYSTEM	PO BOX 25 MURRAY HILL	NJ	07974-0000
AUSBROOKS	E L 10320 LITTLE PATXNT PARKWAY COLUMBIA	MD	21044-0000
AYERS	DOUGLAS NCO ACADEMY FT STEWART	GA	31314-0000
AZAR	ASSAR 5002 RANDOLPH RD ROCKVILLE	MD	20852-0000
AZUMI	JANN E 378 W HUDSON AVE ENGLEWOOD	NJ	07631-0000
AZUMI	KOYA 378 W HUDSON AVE ENGLEWOOD	NJ	07631-0000
BABICH	PATSY A 1915 CORDELL RD B24 AUSTELL	GA	30001-0000
BABIN	D 2800 E NASH RD 1 1109 SEABROOK	TX	77586-0000
BACHEMIN	JEFFREY 5202 ELMCREST LANE CINCINNATI	OH	45242-0000
BACHEMIN	ZOE 5202 ELMCREST LANE CINCINNATI	OH	45242-0000
BAHAMONT AND COMPANY	BOX N 718 HARRISON BLDG NASSAU BAHAMAS	FA	00000-0000
BAKANOWSKI	CHESTER H MISSISSAUGA ONTARIO L5H 2 CANADA FA 00000-0000		

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BAKER	RUSSELL	M HHC 3 19 INF FT STEWART	GA	31314-0000					
BAKER	STEPHEN	A CO 2D 14TH FT BENNING	GA	31905-0000					
BAKODY	JOHN	T 2510 NE 99TH PLACE ANKENY	IA	50021-9749					
BAKODY	MARTAN	C 2510 NE 99TH PLACE ANKENY	IA	50021-9749					
BANCA NATIONALA DE COMERTEXT ROMANIA		ROMANIA	FA	00000-0000					
BANCO MTC		840 W 4TH STREET WATERLOO	IA	50701-0000					
BANEY	MARK	C CO 1 32 ARM ICD FT HOOD	TX	76544-0000					
BARBER	KRYSTAL	9 C HIGHLAND BD NEW CASTLE	DE	19720-0000					
BARNES	CHRISTOPHER	8829 SOUTHWESTERN BLVD 1123 DALLAS	TX	75206-2835					
BARNES	ELIZABETH	8829 SOUTHWESTERN BLVD 1123 DALLAS	TX	75206-2835					
BARNES	OSCAR	W CO A 15TH CAV FT BENNING	GA	31905-0000					
BARTEK	DAVID	J 34 1 2 GLASSER NORWALK	CT	06854-0000					
BARTON	CATHERINE	278 WASHINGTON ST DOVER	NH	03820-0000					
BARTON	DON	6911 BERGENLINE AVE GUTTENBERG	NJ	07093-1850					
BASHAM	LAURA	APT 06 SUN CREST APARTMENTS GRANT	AL	35747-0000					
BASSETT	WENDY	F HHC 3 4 ENG FT RILEY	KS	66442-0000					

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BATE	DONALD	M 540 18 AV SW CALGARY T2S 0G5	FA	00000-0000					
BATEY	TIM	R RR 4 MT PLEASANT	IA	52641-0000					
BAUMEISTER	JOHN	T 770 HOPEWELL RD DOWNTOWN	PA	19335-0000					
BEASLEY	ELIZABETH	B 310 CROWN STREET MORRISVILLE	PA	19067-0000					
BEASLEY	REBECCA	APT 86 CLEARVIEW AVE HARTSVILLE	SC	29501-0000					
BECHTEL INFORMATION SERVICES		PO BOX 630617 BALTIMORE	MD	21263-0617					
BEHRINGER	GERAID	A CO 92ND ENGR FT STEWART	GA	31314-0000					
BELL	FRANK	W HSC 124TH MI BN FT STEWART	GA	31314-0000					
BELL	GRAHAM	GARCHELSEA LONDON ENGLAND	FA	00000-0000					
BELL	LESLIE	PO BOX 3721 KINGMAN	AZ	86401-0000					
BENCH	ROSS	A D BTRY 6 33RD FA FT SILL	OK	73503-0000					
BENDER	G	338 CLAYTON 6 DENVER	CO	80206-0000					
BENSON	GREG	D HHB ATC FT SILL	OK	73503-0000					
BENTON	B	J 419 MORGAN STREET BAY MINETTE	AL	36507-0000					
BERC	LANCE	ZURICH CH80 SWITZERLAND	FA	00000-0000					
BERG	IDA	O DEUTSCHLAND 2 HAMBURG 20 HAMBURG GERMANY	FA	00000-0000					

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BERGER	JEAN	6440 S LEWIS TULSA	OK	74136-0000
BIDWELL	FREDERICK	91ST CHEMICAL CO FT STEWERT	GA	31314-0000
BIGGERS	ROBERT	F 200 TUPELO MONROE	LA	71203-0000
BINDER	FRANK	BOX 88 GAMALIEL	AR	72537-0000
BIONDI	MARY	46 LITTLE ST BELLEVILLE	NJ	07109-0000
BIVENS	JOSEPH	L HHC 3 41ST INF 2AD FT HOOD	TX	76546-0000
BIZANES	WILLIAM	IOUSTINIANOU 22 ATHENS GREECE	FA	00000-0000
BLACK	E	R 529 W VILLAGE RD DUTCH NECK PRINCETON JUNCTION	NJ	08550-0000
BLACK	MICHAEL	M 1700 BROADWAY SUITE 1212 DENVER	CO	80202-0000
BLACK	WALTER	I 1700 BROADWAY SUITE 1212 DENVER	CO	80290-0000
BLACKMORE	JERRY	D APT 2W 5568 WATERMAN ST LOUIS	MO	63112-0000
BLACKWELL	ALTON	C	FA	00000-0000
BLAKE	RICHARD	W RR 3 BOX 564 HOLLYWOOD	MD	20636-0000
BLAKE	ROBERT	RR 3 BOX 564 HOLLYWOOD	MD	20636-0000
BLAKEMAN	TIMOTHY	J HHC 2 67TH ADA FT RILEY	KS	66442-0000
BODSBERG	JOHAN	N7084 MELHUS NORWAY	FA	00000-0000

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BODSBERG	JOHN	N7084 MELHUS NORWAY	FA	00000-0000
BODSBERG	NILS	R N7084 MELHUS NORWAY	FA	00000-0000
BODSBERG	RAGNA	N7084 MELHUS NORWAY	FA	00000-0000
BOENDERNES BANK AS STOCEXCHANGE DEPT		PO BOX 9525 EGERTORGET 0128 OSLOW 1 NORWAY	FA	00000-0000
BOETTCHER & COMPANY		BOX 54 DENVER	CO	80201-0000
BOLLACKER	DONALD	S 24 MASSARI PUEBLO	CO	81001-0000
BONAVIATE	MARIA	PIAGGA DELIA PIGNA 56 INT 1200186 POMA ITALY	FA	00000-0000
BONAVIATE	PABLO	E PIAGGA DELIA PIGNA 56 INT 1200186 POMA ITALY	FA	00000-0000
BONILLA	FERNANDO	HHC 2ND 14TH 10TH MTN DIV FT BENNING	GA	31905-0000
BOOKEY	HARRY	1600 HUB TOWER DES MOINES	IA	50309-0000
BOONE	ROBERT	E 9105 OAKWOOD DR MIDWEST CITY	OK	73130-0000
BORYSEWIC	BRIAN	A RT 3 23041 WEST WATKINS BUCKEYE	AZ	85326-0000
BOSTROM	JOSEPHINE	PO BOX 1112 NEW YORK	NY	10013-0000
BOTZKO	JAMES	A RTE 1 BOX 281 HEBER SPRINGS	AR	72543-0000
BOURDIN	DENIS	B 27 BLVD DE VERDUN DLEPPE FRANCE	FA	00000-0000
BOURDIN	JACQUES	G 27 BLVD DE VERDUN DLEPPE FRANCE	FA	00000-0000

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BOVEY	RICHARD	O 312 SHARON ROAD WEST LAFAYETTE	IN 47906-0000
BOWEN	CHARLES	C CO 509TH INF FT RUCKER	AL 36362-0000
BOWLES	JANICE	E 2075 SURREY TRL COLLEGE PARK	GA 30349-0000
BOWMAN	DAVID	M 3701 NOTTINGHAM MIDLAND	MI 48640-0000
BOWSER	ROBERT	T 3872 S RAMSEY DR BATON ROUGE	LA 70808-0000
BRADSHAW	KEVIN	A LOT 15 91 3 GRANT AVE JUNCTION CITY	KS 66441-0000
BRAND	CHARLENE	1335 S 4TH STREET TERRE HAUTE	IN 47802-0000
BRASS	ROBERT	B LONDON N1 4NB 69 MILDWAY PARK ENGLAND	FA 00000-0000
BRATTON	LARRY	ROUTE 1 BOX 166 MANSFIELD	TN 38236-0000
BREKIBILL	LEO	J 363 MT PLEASANT RD PITTSBURGH	PA 15214-0000
BREITHAUP	L	V P O BOX 688 JENA	LA 71342-0000
BRENDEMIHL	CLIFFORD	1310 CENTENNIAL DR HOUSTON	TX 77055-4114
BRISCHOIS	WILLIAM	A 9491 MANDON UNION LAKE	MI 48085-0000
BRITT	TYREATH	I 109 STEWART AVE BX 15 OXFORD	MD 21654-0000
BROOKINS	MARY	A NO 18 2801 RALIDO HOUSTON	TX 77063-0000
BROOKS	S	M RT 3 BOX 43C FONTANA	WI 53125-0000

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BROOKS	T	L 621 A NASHVILLE STREET RINGOLD	GA 30736-0000
BROOKS	THOAMS	D PO BOX 851 WESSON	MS 39191-0000
BROWE	ANTHONY	M 17685 HANNA MELVINDALE	MI 48127-0000
BROWN	JOE	437 AERIAL PORTS CHARLESTON	SC 29404-0000
BROWN	LAURA	APT 134B 3336 MARVIN D LOVE FWY DALLAS	TX 75224-0000
BROWN	SHELVIE	489 TEMPLE DETROIT	MI 48201-0000
BROWN	STEVE	APT 134B 3336 MARVIN D LOVE FWY DALLAS	TX 75224-0000
BRUCE	EDNA	C 54 WATER ST VANCOUVER 4 BC CANADA FA 00000-0000	
BRUE	RICHARD	T C BTRY 1 12TH FA FT SILL	OK 73503-0000
BRYANT	ANNA	LOT 79 KOBERSTEIN TRAILER COURT RR 3 PRINCETON	IN 47670-0000
BUCHANAN	TERRENCE	A 448 MOM BI JOU ST CROIX	VI 00850-0000
BUCKHOLTZ	MARC	E 4698 SYLVESTER CIR S MACON	GA 31201-0000
BUCKLER	GREG	4110 HUNTINGTOWN ROAD HUNTINGTOWN	MD 20639-0000
BURSING	JOHN	H 48 N BADALONA HOT SPRINGS	AR 71901-0000
BUETTNER	PETER	HOTEL LE RESIDENCE 20 SERRIERA CORISA FRANCE	FA 00000-0000
BURKE	DOROTHY	B 1342 VALLEY RD NEW CANAAN	CT 06840-0000

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BURKE	EGLE	V D 3556 WEIMER LAHN IH GERMANY	FA 00000-0000
BURKEL	LOREN	205 WATER STREET NORTHFIELD	MN 55057-0000
BURNS	AILEEN	HANTS DANESHILL RD BASINGSTOKE ENGLAND	FA 00000-0000
BURNS	DON	HANTS DANESHILL RD BASINGSTOKE ENGLAND	FA 00000-0000
BURTNER	CHARLES	D APT 209 16801 N 49TH ST SCOTTSDALE	AZ 85254-1017
BURTNER	DAVID	M APT 209 16801 N 49TH ST SCOTTSDALE	AZ 85254-1017
BURTNER	ERICA	APT 209 16801 N 49TH ST SCOTTSDALE	AZ 85254-1017
BURTNER	RUTH	A APT 209 16801 N 49TH ST SCOTTSDALE	AZ 85254-1017
BUSH	MARY	T 1502 LAS VEGAS BLVD SO LAS VEGAS	NV 89104-0000
BUTLER	KELLY	23 MABLE AVE LAWRENCE	NJ 08648-0000
C&H AUTO SUPPLY		WADELLO	IA 52653-0000
CABE	SARA	J 2 GLENBRIDGE RD LITTLE ROCK	AR 72207-0000
CALDERON	ELIZABETH	HC 01 BOX 7540 PUERTO RICO LOIZA 006 FA 00000-0000	
CALHOUN	DON	17742 DIX MELVINDALE	MI 48122-0000
CALLAWAY	WILLIE	F 128 YORK ST CAMDEN	NJ 08102-0000
CALZONCIT	MARTHA	J RR 8 BOX 280 E AUSTIN	TX 78746-0000

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CAMPBELL	CHRIS	L A TRP 2 4 CAV FT STEWART	GA 31314-0000
CAMPIA	ENRICO	6830 CHIASSO SWITZERLAND	FA 00000-0000
CANADIAN IMPERIAL BNK OF		M O ACCT COMMERCE CT TRNTO M5L1 CANADA	FA 00000-0000
CANDIA	JAVIER	L ARENALES 1448 BUENOS AIRES ARGENTINA FA 00000-0000	
CANTENO	SERGIO	BOX 2961 BAYAMON 00619 PUERTO RICO FA 00000-0000	
CANTWELL	JONATHAN	E 381 HARBOR DRIVE 10 CLAYMONT	DE 19703-0000
CAREER DEVELOPMENT SEMINARS		MARYVILLE COLLEGE MARYVILLE	TN 37801-0000
CARENBACK	LITSA	2495 LAKE IN THE WOOD YPSILANTI	MI 48197-0000
CARENBACK	MATS	2495 LAKE IN THE WOOD YPSILANTI	MI 48197-0000
CAREY	MARK	L 1339 TOMAH DR MT PLEASANT	MI 48858-0000
CARMICHAEL	IAN	255 WEBB RISE STEVENAGEHERTS SGI 5QQ UNITED KINGDOM	FA 00000-0000
CARR	STAFFORD	E 502 WELLESLEY PHILADELPHIA	PA 19119-0000
CARSTEN	SANDRA	L 721 N BENTLEY TUCSON	AZ 85716-0000
CARTER	FRANCES	J 220 N PRINCETON BATTLE CREEK	MI 49017-0000
CARTER	RAYMOND	A CO 8TH ENG BN FT HOOD	TX 76545-0000
CARTERET SAVINGS BANK		240 CEDAR KNOLLS RD CSDAR KNOLLS	NJ 07927-0000

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CHRISTMAN	RONALD	28244 VAN DYKE WARREN	MI 48093-0000
CHRISTOFFERSEN	SVEND	J PO BOX 539 WEST CALDWELL	NJ 07007-0539
CHRISTOPHER	DAVID	139 WESTSIDE CLAPHAM COMMON SW4 LONDON ENGLAND	FA 00000-0000
CHRISTWELL	D	2600 WESTRIDDLE 164 HOUSTON	TX 77054-0000
CHUA	HOCK LIN	64 KIAN TECK RD JUURONG IND ESTATE SINGAPORE SINGAPORE	FA 00000-0000
CHUPLIS	DARLENE	40 RICHARDS RD NOWALK	CT 06854-0000
CHUPLIS	W JOHN	40 RICHARDS RD NOWALK	CT 06854-0000
CHURCHS CHICKEN 984		355A SPENCER LAND SAN ANTONIO	TX 78201-0000
CIOLINO	PAUL	13207 MARBLE DRIVE SUN CITY WEST	AZ 85375-0000
CITRIN	RUTH	21 BRETON DR PINE BROOK	NJ 07058-0000
CITY OF DALLAS			TX 00000-0000
CLARIDGE INVESTMENT LTD		DCCA6A 156VANCOUVER CANADA	FA 00000-0000
CLARK	ANTHONY	1800 AUSTIN PARKWAY 917 SUGARLAND	TX 77487-0000
CLARK	DAN	PO BOX 192 RAYMONDVILLE	TX 78580-0000
CLARK	JOHN	57 WILLOW RD BELLE MEAD	NJ 08502-0000
CLARK	STEVEN	412 CHANTICLEER TRAIL	

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CASAVANT	GLENN	CIR L RANCH LOT A CLARKSVILLE	TN 37040-0000
CASTILLO	MIGUEL	A PO BOX 1712 LAS PIEDRAS	PR 00671-0000
CAVARIO	JON	B MCSF NSB KINGSBAY	GA 31547-0000
CERVENKA	JOHN	A SOUTH SEA HAMPSHIRE PO 5 2AT EN ENGLAND	FA 00000-0000
CHAMBERS	RUFUS	R HHC 2 7TH INF FT STEWART	GA 31314-0000
CHAMPEAU	RICKEY	A 5 1 FA FT POLK	LA 71459-0000
CHANDLER	B	223 NORTH MAIN STREET PLENTYWOOD	MT 59254-0000
CHANDLER	JAMES	M 1204 W 2ND ST ALICE	TX 78332-0000
CHAPA	V	F 2714 CALLE PRINCE HARLINGEN	TX 78550-0000
CHATMAN	JEFFREY	A CG 1ST FSB FT POLK	LA 71459-0000
CHAVEZ	ROSE	M 748 BELLAIRE STREET DENVER	CO 80220-4937
CHIEF PROBATION OFFICER ESSEX		ROOM 117 COURTS BLDG NEWARK	NJ 07102-0000
CHILDRENS WORLD		573 PARK POINT DR GOLDEN	CO 80401-0000
CHODASH	BARRY	ENGLEWOOD	NJ 07631-0000
CHONG	KENNETH	D BOX 25254 HONOLULU	HI 96825-0254
CHRISTIAN SUPPLY SHOP		303 E WOOD STREET SPARTANBURG	SC 29303-0000

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CRIBE	CATHERINE	ALBION	MI 49224-0000
	1903 ESCOURT DR		
	COATESVILLE	PA	19320-0000
CROSS	DANIEL	C KINGSTON ONTARIO CANADA	
		FA	00000-0000
CROWE	AGNES	LACKEN KILMITHIL	
		IRELAND	FA 00000-0000
CROWN CADILLAC INC		1584 US HIGHWAY 22	
		WATCHUNG	NJ 07060-6574
CRUZ	A	PO BOX 46 ASELLA ARUSSI ETHIOPIA	
		FA	00000-0000
CRUZ	FELIPE	4000 HOLLISTER 41	
		HOUSTON	TX 77080-0000
CSIKY	ARNOLDO	S CARACAS SAN BLAS PISO 4	
		VENEZUELA	FA 00000-0000
CULL	RAY	A 2113 ALICIA DRIVE	
		MIDWEST CITY	OK 73130-0000
CUMMINGS	CHARLES	F APT 2 6329 EAST 32ND STREET	
		ANCHORAGE	AK 99504-3936
CUNNIFF	MICHAEL	RT 1 BOX 69A	
		HARLETON	TX 76004-0000
CURADOS & SONS TV		255 RT 46 WEST	
		TOTOWA	NJ 07512-0000
CURRAN	M	APT 6A NICHOLSON TOWER	
		REPULSE BAY HO	FA 00000-0000
CURRY	IDELLA	M	
		LEVANT	KS 67743-0000
D OLIER VEVILE DUNNING CICILY		ST THOMAS 00801 VIRGIN ISLANDS	
		FA	00000-0000
DALE	C	R PO BOX 400 VICTORIA BC V8W 2 CANADA	
		FA	00000-0000
DALTON	CURTIS	L 6126 2 MINUE RD	
		FT HOOD	TX 76544-0000

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DALUZ	A	2221 CROMWELL HILL DR	
		CROMWELL	CT 06416-0000
DANA	RONALD	210 ESSEX AVENUE	
		AVENIL	NJ 07001-0000
DANKWARDT	DOROTHY	J BOX 434	
		WHITE PINE	MI 49971-0000
DAVENPORT BANK AND TRUST		203 WEST THIRD STREET	
		DAVENPORT	IA 52801-0000
DAVID	C	305 E LIBERTY	
		ANN ARBOR	MI 48104-0000
DAVID	P	305 E LIBERTY	
		ANN ARBOR	MI 48104-0000
DAVIS	MICHAEL	L 226TH MAINT CO	
		FT SILL	OK 73503-0000
DAVIS	THOMAS	A CO 1 BN 32 ARM	
		FT HOOD	TX 76544-0000
DEALIAGA	ELVA	M ESQUINA CO CALLE	
		EL DORADO 196 DPTO	FA 00000-0000
DEANTEE	ESTELL	W 525 MAPLE DR	
		SCHERTZ	TX 78154-0000
DECICCO	RALPH	P 7509 ROYAL HARBOUR CIR	
		OOLTEWAH	TN 37363-0000
DECOITO	RANDY	A 496 KAIWAHINI STREET	
		KIHEI MAUI	HI 96753-0000
DEHERDT	MARIE	ANTON BERGMANNLAAN 9 BUS 6	
		BE250 LIER BELGIUM	FA 00000-0000
DEHLSCHLAGER	DORIS	W ADAMS DR	
		CENTRAL VILLAGE	CT 06332-0000
DEINER	FRANCIS	M 22 JONES AVE	
		NEW BRUNSWICK	NJ 00000-0000
DEMPSEY	JOHN	APT 35 6520 ROSWELL RD NE	
		ATLANTA	GA 30328-0000

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DIETRICH	MILTON	19906 40TH AVE R 1 CONKLIN	MI	49403-0000
DILLON	WILBURN	J 1605 SW 37TH ST TOPEKA	KS	66611-0000
DIMITRAKOPOULOS	THEODORA	CHIOU 10 HOLARGOS ATHENS GREECE	FA	00000-0000
DIMITRAKOPOULOS	VASILIOS	CHIOU 10 HOLARGOS ATHENS GREECE	FA	00000-0000
DIMU	HELEN	WINDSOR ONTARIO CANADA	FA	00000-0000
DIMU	STAN	WINDSOR ONTARIO CANADA	FA	00000-0000
DINGUS	RALPH	31302 SPRINGLAKE BLVD WALLED LAKE	MI	48088-0000
DIPENTINO	MARGARET	APT 2 6301 PERRY PK BLVD LARKSPUR	CO	80118-0000
DOATY	JAMES	C 746 LADLUM MASTROY	LA	71220-0000
DODD	IAN	B MELBOURNE VICTORIA AUSTRALIA	FA	00000-0000
DODD	JAN	B MELBOURNE VICTORIA 03000 AUSTRALIA	FA	00000-0000
DOHSE	MARK	A 936 SPRING CREEK PKWY ALANO	TX	75023-0000
DOLLIER NEVILLE DUNNING CICILY		PO BOX 1687 ST THOMAS U K VIRGIN ISL	FA	00000-0000
DONAHUE	MARY	1010 E FOSS AVE FLINT	MI	48505-2235
DONAHUE	S	G 1350 WOODBOURNE RD LEVITTOWN	PA	00000-0000
DONAHUE	S	R 1350 WOODBOURNE RD LEVITTOWN	PA	00000-0000

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DEMPSEY	SANDRA	APT 35 6520 ROSWELL RD NE ATLANTA	GA	30328-0000
DENIS	DOROTHY	M DELTCA CO 4TH MSB PT STEWART	GA	31314-0000
DENTI	BARBARA	K 121 SHENANDOAH DR PITTSBURGH	PA	15235-0000
DENVER SAVINGS BANK		DENVER	IA	50622-0000
DEPT OF HUD		547 W JACKSON LITTLE ROCK	AR	72205-0000
DERANEK	FOREST	H 283 VAN HORNE DRYDEN CANADA	FA	00000-0000
DERANEK	VIRGINIA	R 283 VAN HORNE DRYDEN CANADA	FA	00000-0000
DERUSSY	JOHN	C 319 N DARTINGTON ST WESTCHESTER	PA	17320-0000
DEWINJE	JENNIE	PETERSBURGSGATE 65 9000 TROMSO NORWAY	FA	00000-0000
DEXTER	DEREK	R ROUTE 1 FOWLER	MI	48835-0000
DEXTER	STEPHEN	T ROUTE 1 FOWLER	MI	48835-0000
DEYTON	JOHN	W PO BOX 125 VANDERBILT	TX	77997-0000
DICKMAN	HARRY	A SHERWOOD DRIVE WOODLAWN ADDITION GREENVILLE	MS	38701-0000
DICKMAN	MARY	A SHERWOOD DRIVE WOODLAWN ADDITION GREENVILLE	MS	38701-0000
DIDIANA	CINDY	R 612 W 21ST AVE APACHE JUNCTION	AZ	85220-0000
DIETRICH	GERTRUDE	19906 40TH AVE R 1 CONKLIN	MI	49403-0000

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DOCKWAH	RICHARDO	65 WALTER DR WOODBRIDGE	NJ 07045-2531
DORHAL & CO		MONTREAL QUEBEC CANADA	FA 00000-0000
DORRANCE	WILLIAM	L 214 ST DAVIDS CT WAYNE	PA 19087-0000
DOSSING	THORVALD	719 CENTRAL AVE HOT SPRINGS	AR 71901-0000
DOUGLAS	PATRICIA	17078 KNOTS LANDING DALLAS	TX 75248-1029
DOWELL	RODNEY	L APT 205 1403 N 2AD FT HOOD	TX 76546-0000
DOYLE	TROY	HCR BOX 366 PENDLETON	OR 97801-0000
DREWS	MELVIN	H 411 22ND PL CLINTON	IA 52732-6102
DREYER	H	P 161 AVE BARON D HULST BRUSSELS BELGIUM	FA 00000-0000
DUDENHOEFER	TROY	J USS CANOPUS AS 34 KINGSBAY	GA 31547-0000
DUKE	JAMES	M 4857 N PEACHTREE RD DUNWOODY	GA 30338-0000
DUKE	RODNEY	R 3450 APT D MACKLON MYRTLE BEACH	SC 29577-0000
DUNBAR	R	16311 TIBET FRIENDSWOOD	TX 77546-0000
DUNKLE	THOMAS	BOX 312 FANNETTBURG	PA 17221-0000
DUNKLE	THOMAS	S BOX 312 FAMEBURG	PA 17221-0000
DURANT	THOMAS	E 609 PALISADE AVE JERSEY CITY	NJ 07035-0000

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DUTHIE	GEORGE	AB4 4UP NR FRASERBURGH SCOTLAND	FA 00000-0000
DUTRA	V	C TERCEIRA 09700 AZORES	FA 00000-0000
EAKIN	JOHN	S 202 1633 W 11TH AVE	
		VANCOUVER BC CANADA	FA 00000-0000
EASTLAND	ELIZABETH	2824 POPLAR STREET PHILADELPHIA	PA 19301-0000
EATON BAY TRUST COMPANY		TORONTO ONARTIO CANADA	FA 00000-0000
EBERHARD	HEINZ	KINNELON RD R D 3 KINNELON	NJ 07405-0000
EGBERT	JEFFREY	D 5103 SILVER CREEK W O HOUSTON	TX 77017-0000
EKWALL	KARL	GARNERSTIGEN 13 S 162 40 VALLINGY SWEDEN	FA 00000-0000
ELLIOTT	NORMA	C 4501 VULCAN 122 EL PASO	TX 79904-0000
ELSBACHERTZDAHL	C	L SCHRALENHOUW 11 6711 EAGLD HOLLAND	FA 00000-0000
EMPIRE MACHINERY CO		PO BOX 1308 PHOENIX	AZ 00000-0000
EMPIRE STAMP CORP LIMITED		TORONTO ONTARIO CANADA	FA 00000-0000
ENGLISH ASSOCIATION OF AMERICAN BOND & S 4 FORE ST		LONDON OECZY ENGLAND	FA 00000-0000
EOAEO	LUCIANA	PO BOX 69 REP OF NAURU CEN PAC REP OF NAURU	FA 00000-0000
EOAEO	MARGARET	PO BOX 69 CIVIC CENTRE REP OF NAURU	FA 00000-0000
EPOCH PUBLICITY AGENCY		PO BOX 1642 REPUBLIC OF CHINA	

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ERTZ	MICHAEL	B A CO 1 75TH RGR BN HUNTER AAF	GA	31409-0000	FALLS	IRVING	JACKSON	MS	39213-0000
ERVIN	SHIRLEY	A 243 S 32ND ST 1A CAMDEN	NJ	00000-0000	FALLS	WILLIAM	882 E CAMINO VISTA DEL CIELO NOGALES	AZ	85621-0000
ERVIN	WILLIE	L 243 S 32ND ST 1A CAMDEN	NJ	00000-0000	FAUST	L	CHO SHIBUYA KO TOKY JAPAN	FA	00000-0000
ESCUTIANAVARRO	FRANCISCO	COL POLANCO CP 78220 SAN LOUIS POTOSI SLP	FA	00000-0000	FELY	MARTIN	R B CO 4TH ATB FT RUCKER	AL	36362-0000
ESPINOSA	ALBERTO	225TH MAINT CO FT SILL	OK	73503-0000	FENECK	DONALD	J 307 STEPHANE DR GOOSE CREEK	SC	29445-0000
ESQUIVEL	ALICIA	123 ITHACA SAN ANTONIO	TX	78227-4812	FENTON	SCOTT	B 8662 CANNAUGHT GARDEN DR HOUSTON	TX	77083-0000
ESQUIVEL	FRANCISCO	123 ITHACA SAN ANTONIO	TX	78227-4812	FENTON	SEAN	M 8662 CANNAUGHT GARDEN DR HOUSTON	TX	77083-0000
ESTADOS	DALLA	P 602 JESUS MARIA LIMA PERU	FA	00000-0000	FERRING	CYRIL	P APARTADO 233 MEXICO MEXICO	FA	00000-0000
ESTADOS UNIDOS		1295 OF 602 JESUS MARIA LIMA PERU	FA	00000-0000	FERRING	MARION	APARTADO 233 MEXICO MEXICO	FA	00000-0000
ESTEP	PAULA	1509 W DOUGLAS WICHITA	KS	67213-0000	FIALA	ADELE	299 GLENLAKE AVE TORONTO ONTARIO CAN FA	00000-0000	
ESTES	LULAH	D RT BOX 780 RT BOX 780 SAN BENITO	TX	78586-9315	FIEDLER	JIM	7139 SIDBURY CIRCLE SAN ANTONIO	TX	78250-0000
EURO TRAVEL INC		12002 WARFIELD SAN ANTONIO	TX	78216-3217	FIEDLER	MICHELLE	7139 SIDBURY CIRCLE SAN ANTONIO	TX	78250-0000
EVANS	AMY	R 1812 NW 16TH LAWTON	OK	73503-0000	FIELDS	PAMELA	M 1080 KENNETH MUSKEGON	MI	49422-0000
EVANS	DALE	W 3965 S RICHFIELD WAY AURORA	CO	80013-0000	FILKINS	JUDI	L 13 363 CHOME KUSUNOK NISHI KU HIROSHIMA 733 JAPAN	FA	00000-0000
EZELL	VAN	J 300 PARKER HILL DR OZARK	AL	36360-0000	FILKINS	LESLIE	W 13 363 CHOME KUSUNOK NISHI KU HIROSHIMA 733 JAPAN	FA	00000-0000
FAIRLEY	CALVIN	2820 RANDOLPH ST			FINANCIAL POST		777 BAY ST TORONTO ONTARIO CANADA		

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FALLS	IRVING	521 ELM ST TIMMINS ONT CANADA	FA	00000-0000	FALLS	IRVING	JACKSON	MS	39213-0000
FALLS	WILLIAM	882 E CAMINO VISTA DEL CIELO NOGALES	AZ	85621-0000	FALLS	WILLIAM	882 E CAMINO VISTA DEL CIELO NOGALES	AZ	85621-0000
FAUST	L	CHO SHIBUYA KO TOKY JAPAN	FA	00000-0000	FAUST	L	CHO SHIBUYA KO TOKY JAPAN	FA	00000-0000
FELY	MARTIN	R B CO 4TH ATB FT RUCKER	AL	36362-0000	FELY	MARTIN	R B CO 4TH ATB FT RUCKER	AL	36362-0000
FENECK	DONALD	J 307 STEPHANE DR GOOSE CREEK	SC	29445-0000	FENECK	DONALD	J 307 STEPHANE DR GOOSE CREEK	SC	29445-0000
FENTON	SCOTT	B 8662 CANNAUGHT GARDEN DR HOUSTON	TX	77083-0000	FENTON	SCOTT	B 8662 CANNAUGHT GARDEN DR HOUSTON	TX	77083-0000
FENTON	SEAN	M 8662 CANNAUGHT GARDEN DR HOUSTON	TX	77083-0000	FENTON	SEAN	M 8662 CANNAUGHT GARDEN DR HOUSTON	TX	77083-0000
FERRING	CYRIL	P APARTADO 233 MEXICO MEXICO	FA	00000-0000	FERRING	CYRIL	P APARTADO 233 MEXICO MEXICO	FA	00000-0000
FERRING	MARION	APARTADO 233 MEXICO MEXICO	FA	00000-0000	FERRING	MARION	APARTADO 233 MEXICO MEXICO	FA	00000-0000
FIALA	ADELE	299 GLENLAKE AVE TORONTO ONTARIO CAN FA	00000-0000	FIALA	ADELE	299 GLENLAKE AVE TORONTO ONTARIO CAN FA	00000-0000		
FIEDLER	JIM	7139 SIDBURY CIRCLE SAN ANTONIO	TX	78250-0000	FIEDLER	JIM	7139 SIDBURY CIRCLE SAN ANTONIO	TX	78250-0000
FIEDLER	MICHELLE	7139 SIDBURY CIRCLE SAN ANTONIO	TX	78250-0000	FIEDLER	MICHELLE	7139 SIDBURY CIRCLE SAN ANTONIO	TX	78250-0000
FIELDS	PAMELA	M 1080 KENNETH MUSKEGON	MI	49422-0000	FIELDS	PAMELA	M 1080 KENNETH MUSKEGON	MI	49422-0000
FILKINS	JUDI	L 13 363 CHOME KUSUNOK NISHI KU HIROSHIMA 733 JAPAN	FA	00000-0000	FILKINS	JUDI	L 13 363 CHOME KUSUNOK NISHI KU HIROSHIMA 733 JAPAN	FA	00000-0000
FILKINS	LESLIE	W 13 363 CHOME KUSUNOK NISHI KU HIROSHIMA 733 JAPAN	FA	00000-0000	FILKINS	LESLIE	W 13 363 CHOME KUSUNOK NISHI KU HIROSHIMA 733 JAPAN	FA	00000-0000
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FINDLEY	ETHEL	SUITE 600 PQCAH32 224	MONTREAL CANAD	FA 00000-0000
			FA 00000-0000	
FINK	JOANNE	840 BOGERT RD	RIVER EDGE	NJ 07661-2332
FINK	NATHAN	840 BOGERT RD	RIVER EDGE	NJ 07661-2332
FINKLEA	PHILIP	J 820 TAMMANY DR	COLORADO SPRINGS	CO 80916-0000
FIREMAN FUND MORT		27555 FARMINGTON RD	FARMINGTON	MI 48018-0000
FIREMANS FUND		PO BOX 9090	FARMINGTON HILLS	MI 48333-0000
FIRPATRICK	KIMBARLY	A USA MEDDAC CMHS	FT STEWART	GA 31313-0000
FIRST FED SV LN DEPT		PO BOX 7006	DOTHAN	AL 36302-0000
FIRST GIBRALTAR MTG		4004 BELTLINE 100	DALLAS	TX 75244-0000
FISHER	BLAIR	T 471ST TRANS CO	FT SILL	OK 73503-0000
FISHER	JIMMY	D STAR RT A BOX 112F	SKIATTOON	OK 74070-0000
FISLER	JEAN	B 8036 HERB FARM RD	BETHESDA	MD 20817-1303
FITCH	DAVID	3212 PLATEAU DR	COLUMBUS	GA 31903-0000
FLANK	TONY	SCV BTRY 4 5TH FA	FT RILEY	KS 66442-0000
FLEMING	EDWARD	137 GREEVES ST	KANE	PA 16735-0000
FLEMING	JEREMIAH	13723 W 75TH PL		

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		LENEXA	KS 00000-0000
FLORES	J	224 E HANK PHARR	TX 78577-0000
FLOYD	ELLIS	BOX 2423 BATESVILLE	AR 72503-0000
FLYNN	ERROL	GENERAL DELIVERY GULFPORT GULFPORT	MS 39501-0000
FMC CORPORATION		2000 MARKET STREET PHILADELPHIA	PA 19103-0000
FOLLETT	ELTON	HINTON HOUSE HURST BERKSHIRE ENGLAND	FA 00000-0000
FOSTER MORTGAGE		6000 WESTERN PLACE FORT WORTH	TX 76107-0000
FOUNTAIN	WILLIAM	O C CO 1 145TH AVN FT RUCKER	AL 36362-0000
FOX	GEOFFREY	Q FASSBERG 3400 GONIKOLAUSB AM POSTFACH 968 GERMANY	FA 00000-0000
FOX	PAUL	1118 CITY PARK AVE FORT COLLINS	CO 80521-0000
FRANCESCO	CORTI	PIROLA VIA MARTINO L	FA 00000-0000
FRANKO	ANNE	PO BOX 301 PERTH AMBOY	NJ 08862-0000
FRASER	DAVID	4306 MARKLEY HALL ANN ARBOR	MI 48109-0000
FRASER	ELSIE	M 219 CAMBRIA RD GODERICH ONTARIO CANA	FA 00000-0000
FREEMAN	JOHN	R PO BOX 4347 RIYADH SAUDI ARBIA	FA 00000-0000
FREEMAN	KARLENE	T 209 WHITTINGTON COURT COLUMBIA	SC 29210-0000
FRETTER INC		35901 SCHOOLCRAFT	

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FRIEDMAN	LEE	LIVONIA	MI	48150-0000
		C O WOLF BLOCK SCHORR & SULIS COHEN PHILADELPHIA	PA	19102-0000
FTC & CO		444 SHERMAN STREET DENVER	CO	80203-0000
FUGATE	JOHN	B RT 4 BOX 376E ATHENS	TN	37303-9804
FUNK	WILLIAM	201 NORTHPARK LANE JOPLIN	MS	00000-0000
FUNG	WILLIAM	ICE HOUSE ST HONG KONG CHINA	FA	00000-0000
FURMAN	ALBINA	35 CANYON AVENUE TORONTO ONTARIO CAN	FA	00000-0000
GAGLIO	CALOGERO	VIA SALVATORE BADALAMENTI PALERMO ITALY	FA	00000-0000
GAGLIO	FRANCESCA	VIA SALVATORE BADALAMENTI PALERMO ITALY	FA	00000-0000
GALVANI	GIVSEPPINA	R BD DES MOULINS MONTCCARIO MONAC IT	FA	00000-0000
GALVANI	LUIGI	R BD DES MOULINS MONTCCARIO MONAC IT	FA	00000-0000
GAMBLE	MARQUERITE	1409 LOUISIANA ST APT LITTLE ROCK	AR	72202-0000
GARDEN CITY REAL ESTATE		1307 E CHESTNUT GARDEN CITY	KS	67846-0000
GARDNER		GREAT BRITIAN 0EC2R ENGLAND	FA	00000-0000
GARDNER	JANICE	R 88 TRUMELL COURT WOODLAWS	TX	77381-0000
GARDNER	JOHN	S 3001 HULBIRT ST CORPUS CHRISTI	TX	78407-0000
GARDNER	LARRY	E 88 TRUMELL COURT		

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GAREH	AMNON	WOODLAWNS 108 CANNON ST LONDON EC4 ENGLAND	TX	77381-0000
GARCIS	CLAUDE	D NEW RIVER STAGE 2 PHOENIX	FA	00000-0000
GARRISON	TIMOTHY	HHQ 269 FT BENNING	AZ	85027-0000
GARTHDARCELL	DARCELL	F 243 N ARLINGTON AVE EAST ORANGE	GA	31905-0000
GARZA	ALEJANDRO	D CO 3 6 INF FT POLK	NJ	07017-0000
GASQUE	THOMAS	A 110 S CULVER ST BALTIMORE	LA	71459-0000
GASS	SHIRLEY	PO BOX 481 HOWARD CITY	MD	21229-0000
GATTER	ARTHUR	A CO 13TH SIG FT HOOD	MI	49329-0000
GAULT	CAROL	M WESTMONT QUE H3Y 3 CANADA	TX	76544-0000
GAUTREUX	JUNE	M 632 N UNION OPELOUSAS	FA	00000-0000
GAY	GERALD	V HHT 3RD ACR FT BLISS	LA	70570-0000
GELBRECHT	ERNA	POSTFACH 11 22 4836 WEST GERMANY	TX	79916-0000
GENE REED CHEVROLET INC		PO BOX 70305 CHARLESTON HTS	FA	00000-0000
GENERAL ACCIDENT		PO BOX 8068 899 PHILADELPHIA	SC	29415-0305
GESIN	GLADEN	E 426 MAY AVE TITUSVILLE	PA	19177-0000
			PA	16354-0000

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CHAFOURIAN	ALI	APT 301 727 MAPLEWOOD DR CEDAR FALLS	IA 50613-0000
GIACOMAZZA	CARL	329 LEHIGH AVE ROSELLE PARK	NJ 07204-0000
GIBSON	ALLAN	D 210 GENERA AVE SILVER SPRINGS	MD 20910-0000
GIBSON	JOHN	L 415 DRAKE AVE ROSELLE	NJ 07302-0000
GIGLIOTTI	JOHN	HHT 3RD ACR FT BLISS	TX 79916-0000
GIGLIOTTI	S	P 1960 237 9635 FM HOUSTON	TX 77070-0000
GILES	BERNARD	APT 5 2525 BOLTON BOONE DESOTO	TX 75115-0000
GILL	KEVAN	D 638 N MAIN ST HINESVILLE	GA 31314-0000
GILLIAND	BRIAN	APT 2 6329 EAST 32ND STREET ANCHORAGE	AK 99504-3936
GILLIARD	ALISE	155 GODFREY AVE PHILADELPHIA	PA 19120-0000
GILPIN	RUSSELL	B CO 1ST FSB FT STEWART	GA 31314-0000
GILSON	DAVID	16 WINDSOR ST RANDOLPH	ME 04345-0000
GILSON	SUSIE	16 WINDSOR ST RANDOLPH	ME 04345-0000
GINN	RICHARD	W 7003 S E MOLT ST MILWAUKEE	OR 97267-0000
GITTELMAN	SHIRLY	P 178 ALBEMARLE DR GEOR PENLLYN	PA 19422-0000
GLOBAL BUSINESS COMMUN INC		PO BOX 99 GILLETTE	NJ 07933-0000

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GLOVER	KENNETH	7855 BLVD EAST 19H N BERGEN	NJ 07047-0000
GLOVER	MORRIS	E 45TH CHEM FT POLK	LA 71459-0000
GLOVER	REBECCA	M 115 AVONDALE AVE HADDFIELD	NJ 08033-0000
GMAC		3451 HAMMOND AVENUE PO BOX 780 WATERLOO	IA 50704-0780
GMAC MTG		7320 OLD YORK RD PHILADELPHIA	PA 19126-0000
GODKE	DARYL	J 1843 NASH DR ST JOSEPH	MI 49085-0000
GOERKE	JEFFREY	L 315 S W 71ST LAWTON	OK 73505-0000
GOLOB	HAZEL		FA 00000-0000
GOMEZ	FERNIN	6280 S SOO RD OLATHE	CO 81425-0000
GOMEZ	LILIA	6280 S SOO RD OLATHE	CO 81425-0000
GOODMAN	DANIEL	J 108 W AVE A KILLEEN	TX 76543-0000
GORDON S 4750		MAIL STATION 6B5 PO BOX 152753 IRVING	TX 75015-0000
GOSS	CHERS	V 289 CLEVELAND AVE ATHENS	GA 30629-0000
GRACEY	BRIAN	GRAND CAYMAN ISLAND BR WEST INDIES	FA 00000-0000
GRACIELA	BLANCA	BANCO CREDITO DE LIMA PERU SA	FA 00000-0000
GRANT	AUDREY	A 13906 ASHDALE LANE HOUSTON	TX 77083-0000

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GRANT	LENA	B 4212 WEBB DETROIT	MI 48204-0000
GREATHOUSE	JOHN	11888 LONGRIDGE BATON ROUGE	LA 70816-0000
GREEN	ANGELA	G 8615 ANNAPOLIS RD NEW CARROLLTON	MD 20784-0000
GREEN	OTIS	PO BOX 725 WARREN	AR 71671-0000
GREENBANK	AMY	6920 E LATHAM ST SCOTTSDALE	AZ 85257-0000
GREENBANK	JULIANNE	6920 E LATHAM ST SCOTTSDALE	AZ 85257-0000
GREENBANK	SCOTT	6920 E LATHAM ST SCOTTSDALE	AZ 85257-0000
GREER	EARNEST	RT 1 BOX 2238 PICKENS	MS 39146-0000
GREISEN	JOHN	G 326 W KILBOURNE ST SHERIDAN	WY 82801-0000
GRIFFITH	JOHN	APT 201 5190 N 55TH AV GLENDALE	AZ 85301-0000
GRIFFITH	MERRY	B APT 201 5190 N 55TH AV GLENDALE	AZ 85301-0000
GRIMES	EDWARD	E 2900 ZEPHYR RD 1038 KILLEEN	TX 76541-0000
GRIMES	MICHAEL	D HHT 6TH CAV BDE FT HOOD	TX 76546-0000
GRUBBS	DAVID	A SC 5076 SOUTHFIELD	MI 48086-0000
GRUNDE	DAGNY	VEVSTAD GJERSTAD ST NORWAY EUROPE	FA 00000-0000
GULLIVER	RONALD	THE OLD CHAPEL HAMPSHIRE ORG27 ENGLA	FA 00000-0000

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GUNASIRI	DALUWATTA	P TALAHENA WALABE SRI LANKA FA 00000-0000
GUNN	KENNETH	F 289TH GEN SUPPLY FT HOOD TX 76545-0000
HAASE	CAROLYN	P SOUTHWEST SAVINGS 12434 N TATUM BLVD PHOENIX AZ 85032-0000
HABENICHT	ANN	8612 W BARKHURST DR PITTSBURGH PA 15237-0000
HABIR	A	A PO BOX 70084 AMSTERDAM Z NETHERLANDS FA 00000-0000
HALL	HOMER	RT 2 BOX 267 PRENTISS MI 39474-0000
HALL	WILLIAM	RT 2 BOX 267 PRENTISS MI 39474-0000
HAMANN	NANCY	1120 RHEIN BURLINGTON IA 52601-0000
HAMBURG	GREGORY	A 4041 W GREENWOOD PLACE DENVER CO 80236-0000
HAMMOND	JEFFERY	A CO 4 6TH INF FT POLK LA 71459-0000
HANEY	ROBERT	ROUTE 3 BOX 174F HOT SPRING AR 71913-0000
HANSEN	BERTHA	MELLON BANK NEW BRUNSWICK NJ 08988-0000
HANZA	JOSE	L NO 949 CARABAYA LIMA PERU FA 00000-0000
HARBECK	ELIZABETH	H 856 KENNESAW AVE BIRMINGHAM MI 48808-0000
HARBECK	RICHARD	H 856 KENNESAW AVE BIRMINGHAM MI 48808-0000
HARBISON	DUELL	L RT 2 BOX 212 B HANCEVILLE AL 35077-0000

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HARDING	LUCILLE	V 607 S PULASKI ST BALTIMORE	MD 21223-0000
HARRISON	ELIZABETH	3245 HARNESS CREEK ROAD ANNAPOLIS	MD 21403-0000
HART	ROBERT	L 1620 E KANSAS GARDEN CITY	KS 67846-0000
HARVEY	CLARIE	C 5111 MILLWOOD PL JACKSON	MS 39206-0000
HARWELL	WALTER	142 CIRCULAR ST GREENWOOD	SC 29646-0000
HASTINGS	MICHAEL	E 815 1 2 KEARNEY ST MANHATTAN	KS 66502-0000
HAWKEYE BN MORTGAGE		PO BOX 6160 DES MOINES	IA 50309-0000
HAYWARD	JOHN	W 1821 NEDRO AVE PHILADELPHIA	PA 19141-0000
HAYWOOD	RONALD	W 12818 SANDHURST HOUSTON	TX 77048-0000
HEATER	BILLY	J PO BOX 128 WESTON	WV 26452-0000
HEBERT	DAVID	H&HSB 3 9TH FA FT SILL	OK 73503-0000
HEIDLEBAUGH	MONTE	L 803 E AVE B LAMPASAS	TX 76550-0000
HENDARMIN	BUDI	AIPLA LS TIBAM 10 NOJAKARTA INDONESIA	FA 00000-0000
HENDARMIN	SULIANI	AIPLA LS TIBAM 10 NOJAKARTA INDONESIA	FA 00000-0000
HENDERSON	BILL	3207 CRESTVIEW 214 DALLAS	TX 75230-0000
HENDERSON	CLARENCE	R MARINE BTRY 1 78 FA FT SILL	OK 73503-0000

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HENDERSON	K	RT 1 BOX 1288 PELL CITY	AL 35125-0000
HENEIN	ROUSHDYRIAD	ALEXANDRIA 71 SULTAN HUSSEIN STR EGYPT	FA 00000-0000
HERANDEZ	WILFREDO	BELLA VISTA GARDENS CALLE 289 23 BAYAMON	PR 00619-0000
HERBERT	GLENN	M PO BOX 221 CADE	LA 70519-0000
HERBERT	ROBERT	PO BOX 631 NUTLEY	NJ 07110-0000
HERNANDEZ	ANTONIO	UTA 9 BURON 2310 AGUADILLA	PR 00603-0000
HERNANDEZ	CORNELIO	708 ALABAMA 214 KATY	TX 78520-0000
HESTER	SAM	313 N MASSENGELL ST HAZELHURST	MS 39083-0000
HICKS	PLENNETH	P 3435 IVYS WALK DORAVILLE	GA 30340-0000
HIGGINBOTHAM	MONTAGUE	T AMERICAN EMBASSY BOX R APO NY 09080	FA 00000-0000
HIGGINBOTHAM	SUSAN	G AMERICAN EMBASSY BOX R APO NY 09080	FA 00000-0000
HIGGINS	DANIEL	K 709 8TH ST BERTHOUD	CO 80513-0000
HIGGINS	DEBBIE	L 709 8TH ST BERTHOUD	CO 80513-0000
HIGHTOWER	DALE	1118 N W IRWIN LAWTON	OK 73505-0000
HINDS	SUSAN	M 4450 RIDGEMONT DR 811 ABILENE	TX 79606-0000
HINES	LEONARD	C CO 124TH SB 2AD FT HOOD	TX 76546-0000

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HITCHCOCK	TIMOTHY	301 HOUSTON ST TOMBALL	TX	77357-0000
HOATMAN	PETER	MONTREAL QUEBEC CANADA	FA	00000-0000
HOFMAN	THOMAS	K LONDON SW10 9BJ ENGLAND	FA	00000-0000
HOFMANN	ELIZABETH	310 CROWN STREET MORRISVILLE	PA	19067-0000
HOLMAN	KYLE	51633 1 KARANKAWA FT HOOD	TX	76544-0000
HOLTZWORTH	WILLIAM	F 611 ANDERSON AVE CLIFFSIDE PARK	NJ	07010-0000
HOMIK	JOHN	1010 E FOSS AVE FLINT	MI	48505-2235
HOOD	RICHARD	N THREE TUNS ANBLER	PA	19002-0000
HOOVER	TOD	J A CO MP USAG FT POLK	LA	71459-0000
HOPES	DEREK	V HORSESHOE COTTAGE PETERLEY ENGLAND	FA	00000-0000
HORTON	DERRICK	E 1098 LOUISVILLE AVE MEMPHIS	TN	38107-0000
HORWATH	MICHAEL	C CO 4TH ATB FT RUCKER	AL	36362-0000
HOUSE	PAMELA	A 2120 EL PASEO HOUSTON	TX	77054-0000
HOWARD	ANDREA	6311 W MEDLOCK GLENDALE	AZ	85301-0000
HOWARD	GREGORY	457 ELLA ST PITTSBURGH	PA	15221-0000
HOWARD	T	A 6311 W MEDLOCK GLENDALE	AZ	85301-0000
HOWE	VAUGHN	T 4336 ARTHUR		

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HUDGIN	CHARLOTTE	KLAMATH FALLS 1014 SPEER LANE AUSTIN	OR	97603-0000
HUEY	CANDI	U 449 DREXEL PL KALAMAZOO	MI	49007-0000
HUFFAKER	DOROTHY	D APDO 249 CHAPALA JALISCO MEXICO	FA	00000-0000
HUFFAKER	MELVIN	S APDO 249 CHAPALA JALISCO MEXICO	FA	00000-0000
HUFFSTUTLAR	JEFFERY	HHC 3 6 INF FORT POLK	LA	71459-0000
HUGGINS	ANTHONY	M 2220 PROSPECT CIR JUNCTION CITY	KS	66441-0000
HULL	MARY	F BAYARD	IA	50301-0000
HUNLEY	JOAN	6 FINCH COVE JACKSON	TN	38305-0000
HUNLEY	SUSANNE	30320 STRATFORD CT FARMINGTON HILLS	MI	48331-0000
HUNTER	HOWARD	C 2400 DALE BROOK CT NASHVILLE	TN	37206-0000
HURT	LESLIE	D 917 COOPER STREET BLUEFIELD	WV	24701-0000
HUSAR	ANGIE	PO BOX 177 PRINCETON	IA	52768-0000
ICM MORTGAGE CORP		6251 S ULSTER ENGLEWOOD	CO	80111-0000
IEPSON	JOSEPH	H PO BOX 13820 PHILADELPHIA	PA	19101-0000
IGNATOWSKI	O	1919 S LAKESIDE HARBOR BEACH	MI	48441-0000
IKENBERRY	PAUL	F 103 W 5TH ST		

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INDPNCD ONE 1515403	QUINTER	KS	67752-0000
	PO BOX 33081 DETROIT	MI	48232-0000
INFO GLOBE	TORONTO ONTARIO CANADA	FA	00000-0000
INSILCO CORPORATION	SUITE 400 300 NORTH MARIENFELD MIDLAND	TX	79701-0000
INVERSIONES	PANAMA REPUBLICA DE PANAMA PANAMA	FA	00000-0000
INVERSIONES SA	PANAMA	FA	00000-0000
IOWA STATE UNIVERSITY	AMES	IA	50010-0000
J & J ENTERPRISE INC	730 BELL LANE MAPLE GLEN	PA	19002-0000
JACKSON	A NR SCARBOROUGH N YORKSHIRE ENGLAND	FA	00000-0000
JACKSON	565TH MED CO FT POLK	LA	71459-0000
JAHNCKE	E 145 EAST GREEN STREET POSTVILLE	IA	56162-0000
JAMES	2802 WEST NEWTON CT CHANDLER	AZ	85224-0000
JAMES	2520 KENNEDY BLVD JERSEY CITY	NJ	07304-0000
JAMES	M 2520 KENNEDY BLVD JERSEY CITY	NJ	07304-0000
JAMES	2802 WEST NEWTON CT CHANDLER	AZ	85224-0000
JAMES	2520 KENNEDY BLVD JERSEY CITY	NJ	07304-0000
JAMES	E 4804 CEDAR HILL CT B		

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JANICKE	HARRIET	KILLEEN	TX	76541-0000
	16216 WOODPECKER ROAD SILVER HILL	AL	36576-0000	
JANICKE	RAYMON	J 16216 WOODPECKER ROAD SILVER HILL	AL	36576-0000
JASON	CHARLOTTE	M 19214 FLEMING DETROIT	MI	00000-0000
JASON	WILLIAM	M 19214 FLEMING DETROIT	MI	00000-0000
JAY	AL	135 B ATL GARDEN CIR PRICEDALE	PA	15072-0000
JAY CHEVROLET INC		2675 S MILFORD RD HIGHLAND	MI	48357-4941
JENSEN	BRIAN	K C CO 2 70 AR FT STEWART	GA	31314-0000
JIMENEZ	F	230 CANNER ST NEW HAVEN	CT	06511-0000
JOHNSON	CHARLIE	RT 1 BOX 232 E SEALE	AL	36875-0000
JOHNSON	DEREK	3723 DC BILTHOVEN HOLLAND	FA	00000-0000
JOHNSON	ERIC	D 5014 HERZEL PLACE BELTSVILLE	MD	20705-0000
JOHNSON	JAMES	E 1506 PRATT ST DALLAS	TX	75224-0000
JOHNSON	KENNETH	E HHC 197TH 2 18 FT BENNING	GA	31905-0000
JOHNSON	LARRY	205 5TH AVE WEST BUCKEYE	AZ	85326-0000
JOHNSON	NANCY	407 N GILMORE ST BALTIMORE	MD	21223-0000
JOHNSON	PETER	C BOX 214		

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JOHNSON	STEPHEN	HAINES 901 S ANN ST BALTIMORE	AK 99827-0000	KAMER	ARNETT E C BTRY 1 13 FA FT STEWART	CORPUS CHRISTY TX 78418-0000	
	JONES	BETTE D 704 CLEVELAND AVE MISSOULA	MD 21231-0000	KAMMERDIENER	JAMES E BOX 7032 FT GORDON	GA 31314-0000	
	JONES	CHARLES R HHC 3 67 2AD FT HOOD	MT 59801-0000	KAMMERDIENER	MARK E BOX 7032 FT GORDON	GA 30905-0000	
	JONES	ELIZABETH W 704 CLEVELAND AVE MISSOULA	TX 76545-0000	KAPLAN	BERNICE 55 ERSKINE AVE TORONTO ONT 12 CANADA FA 00000-0000	GA 30905-0000	
JONES	FRANCIS	X 10 CEDARCREST DR CLARKSVILLE	MT 59801-0000	KAPSASKIS	KATHERINE 547 S GRAPE ST DENVER	CO 80222-0000	
JONES	KEVIN	L HSC 92ND ENG BN FT STEWART	TN 37042-0000	KARIOTIKA	EVANGELIA XYLOKASTRO GREECE	FA 00000-0000	
JONES	LEONARD	J 441 SOUTH AVE 1 PITTSBURG	GA 31314-0000	KASTALNY	MICHAEL 7018 E KIRKLAND DR TUCSON	AZ 85710-0000	
JONES	ROBERT	D 6121 SUN VALLEY 21 EL PASO	PA 15221-0000	KATARIDOA	SALE GIZO W BRITISH SOL ISLDS BRIT SOL ISLDS	FA 00000-0000	
JONES	WALTER	R 33943 LAMOYNE LIVONIA	TX 79924-0000	KATZ	SIDNEY PO BOX 16804 PHILADELPHIA	PA 19142-0804	
JONES	WILLIE	L 204 LINCOLN DR LYONS	MI 48154-0000	KAWKA	MARIA 11447 114TH AVE YOUNGTOWN	AZ 85363-1416	
JOSEPH CHEVROLET		680 PFEIFFER BLVD PERTH AMBOY	MS 35568-0000	KAWKA	TEOFIL 11447 114TH AVE YOUNGTOWN	AZ 85363-1416	
JULIUS	MABEL	ROUTE 1 BOX 166 MANSFIELD	NJ 08861-2335	KEELINS	ROSE M 505 WELDIN RD SHELLBURNE WILMINGTON	DE 19801-0000	
JULLION	ROSEMARIE	94 CUMBERLAND ST TORONTO ONTARIO CAN FA 00000-0000	TN 38236-0000	KEEN	LAURENCE GREAT BRITIAN 0EC2R ENGLAND FA 00000-0000	FA 00000-0000	
JUNG	PHIL	K 2816 KIRCHLINTEN WEST GERMANY	FA 00000-0000	KEETON	MERLE 272 SHADOW MT A 38 EL PASO	TX 79912-0000	
K YAMADA ASAHI CHEM CO		2 1 SAMEJMA SHIZUAK JAPAN	FA 00000-0000	KEITH	SAMUEL O 7280 ROSCO ROAD GULF SHORES	AL 36542-0000	
KAISER	BESS	PO BOX 18782		KELLER	DAVID 2002 W CHOLLA		

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KELLER	ERNEST	PHOENIX	AZ	85929-0000
		R 9 BLVD FLORENCE	NJ	08518-0000
KELLER	JOSEPH	M 1326 CAPISALLO ST MERCEDDES	TX	75870-3816
KELLER	ROSE	1326 CAPISALLO ST MERCEDDES	TX	75870-3816
KELLY	MICHAEL	L 601 NE FLOWER MOUND LAWTON	OK	73507-0000
KELLY	VELINDA	MONTGOMERY	AL	36112-0000
KENT	JOHN	W WALES UK UNITED KINGDOM	FA	00000-0000
KENYON	TONY	40 ST JOHNS STREET ENGLAND	FA	00000-0000
KIM	CHOONG	M PO BOX 131 NIANTIC	CT	06357-0131
KIM	HONG	S PO BOX 131 NIANTIC	CT	06357-0131
KING	JUDITH	M 41 SOMERSTOWN CHICHESTER SESSEX ENGL FA	00000-0000	
KINMONTH	MARY	I 211 WILLOW WAY TOPEKA	KS	66609-0000
KINMONTH	WILLIAM	R 211 WILLOW WAY TOPEKA	KS	66609-0000
KISBER	MINNIE	2644 BEVERY DR BIRMINGHAM	AL	35223-0000
KISILENKO	DUNCAN	172 BEACONSFIELD BEACONSFIELD QUE CANADA	FA	00000-0000
KITAKOGA	HIDEAKI	870 17 OHYA MACHI HACHIOJI SHI JAPAN	FA	00000-0000
KLINK	DANIEL	J PO BOX 462		

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		BLADENSBURG	MD	20710-0462
		KIZIAT HAYOVEL 21 13 ZANGVIL ST JERUSALEM ISRAEL	FA	00000-0000
		R 4261 GRANDE HALL HOLLY	MI	48442-0000
		WINSTANLEY	HI	96750-0000
		PO BOX 1906 KEALAKEAU	HI	96750-0000
		C CO 1 75TH RGR BN HUNTER AAF	GA	31409-0000
		DAVID	IA	52001-0000
		A 15571 ASBURY ROAD DUBUQUE	IA	52001-0000
		15571 ASBURY ROAD DUBUQUE	IA	52001-0000
		DIANNE	TX	77043-0000
		3706 MOUNTAIN ROSE HOUSTON	TX	77043-0000
		FMC DEH BOX 24 APO 09713	FA	00000-0000
		BETTYMAE	SC	29577-0000
		3800 PALMETTO ST MYRTLE BEACH	SC	29577-0000
		JOSEPH	SC	29577-0000
		J 3800 PALMETTO ST MYRTLE BEACH	SC	29577-0000
		JUANITA	OK	74070-0000
		525 WEST OAK SKIATOOK	OK	74070-0000
		DORIS	MI	48239-0000
		14754 FOX ST REDFORD	MI	48239-0000
		14754 FOX ST REDFORD	MI	48239-0000
		IWABUCHI	FA	00000-0000
		KITAKU TOKYO 115 JAPAN	FA	00000-0000
		NORMAN	FA	00000-0000
		ES NOVALLES BLONAY SWITZERLAND	FA	00000-0000
		MARY	APT 40 2020 SANTA FE ST	

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KRIECH	EDWIN	WICHITA FALLS	TX 76309-0000
KRIECH	LUCIE	81 GARMISCH BARTEN KIRCH GERMANY	FA 00000-0000
KRIEGE	MICHELLE	81 GARMISCH BARTEN KIRCH GERMANY	FA 00000-0000
KRISTOF	DAVID	C 6450 E GOLF LINKS 2153 TUCSON	AZ 85730-0000
KRIVICKAS	MARTA	PO BOX 1112 NEW YORK	NY 10013-0000
LABOY	RICARDO	STE 505 10 QUEENS QUAY WEST MSJ2R	FA 00000-0000
LACKEY	GILBERT	HHB 2 37TH FA FT SILL	OK 73503-0000
LADA	STANLEY	H 104 CLARENDON AVE NASHVILLE	TN 00000-0000
LAMONT	EDWARD	A 134 HICKORY DR COVENTRY	CT 06238-0000
LANCASTER	WAYNE	J 16800 SAVOIE LIVONIA	MI 48154-0000
LANDON	MICHAEL	A RR1 BOX 1470 LINCOLN	ME 04457-0000
LANE	CLARENCE	2927 N 7TH ST PHILADELPHIA	PA 00000-0000
LANE	EUGENE	C 6536 S W 53RD ST TOPEKA	KS 66604-0000
LANE	JOHN	H 2200 COLLEGE TOPEKA	KS 66611-0000
LANE	MELVA	R 123 PLAINFIELD DR GOOSE CREEK	SC 29445-0000
LANG	TSENG	R 6536 S W 53RD ST TOPEKA	KS 66604-0000
		882 E CAMINO VISTA DEL CIELO	

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LANGFITT	BETTY	NOGALES	AZ 85621-0000
LAPOINTE	PAUL	K 1511 GROSSCUP AVE DUNBAR	WV 25064-0000
LARSEN	LUCY	MONTREAL HUT3W3 CANADA ATHENS	FA 00000-0000
LATIMORE	WILLIE	E 106 N LEE STREET A CO 3 77 ARMOR FT POLK	AL 35611-0000
LAU	CHAK	A 4338 WEST 14TH AVE VANCOVER	LA 71459-0000
LAUGHINGHOUSE	EDWARD	RT 2 BOX 105 CHESTER	SC 29706-0000
LAURA	LAURA	D PO BOX 995 HAMILTON	AL 35570-0000
LAURENCE KEEN & GARDNER		LONDON EL UNITED KINGDOM	FA 00000-0000
LAVIOLETTE	RICHARD	CO D 43RD ENGR BN FT BENNING	GA 31905-0000
LAWRENCE		L&N CO PO BOX 1328 HOUSTON	TX 77251-0000
LAWRENCE	MAYSEL	1627 VANCE ST LAKEWOOD	CO 80215-0000
LAWRENCE	MICHAEL	13TH SUPCOM 4TH SPT CTR FT HOOD	TX 76541-0000
LAWRENCE	MICHEAL	7324 GREEN ACRES DR GLEN BURNIE	MD 21061-0000
LEBLANC	JOSEPH	L 675 WOODDALE BLVD 77 BATON ROUGE	LA 70806-0000
LECLAIRE	ELISA	D 1313 11TH ST GALENA PARK	TX 77547-3001

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LEE	ALBERT	H BOX 833 DURANGO	CO	81147-0000	LEE	LEBERMAN	VIVIAN	21 BRETON DR PINE BROOK	NJ	07018-0000
LEE	CHRISTOPHER	2A WETZEL WAY STORRS	CT	06877-0000	LEE	LEIBER	JOSEPH	D YARREN DIST REP OF NAURU REP OF NAURU	NA	00000-0000
LEBAS	DONALD	W B CO 92 ENG BN FT STEWART	GA	31314-0000	LEE	LINDLEY	PAUL	600 109TH ST ARLINGTON	TX	00000-0000
LEIFTONEN	JUKKA	MAHERRANKATU 1B16 28100 PORI	FA	00000-0000	LEE	LIPSCOMB	BURCEY	S 2075 SURREY TRL COLLEGE PARK	GA	30349-0000
LEITCH	ALEXANDER	L GUNTERSTEIN 49 AMSTERDAM HOLLAND	FA	00000-0000	LEE	LIPSCOMB	L	B 524 LACLEDE AVE MEMPHIS	TN	38126-0000
LEMBESSIS	DIONYSIS	4 MELEAGROY ST GREECE	FA	00000-0000	LEE	LISTER	ANTHONY	LEIGHT ON SEA GSEX SS93RD ESSEX ENGLAND	FA	00000-0000
LEMLEY	JUDY	2005 MERRIMAN AVE CORPUS CHRISTI	TX	78412-0000	LEE	LISTER	LINDA	LEIGHT ON SEA GSEX SS93RD ESSEX ENGLAND	FA	00000-0000
LENZ	LOREN	F 1310 CITY VIEW DR DENISON	IA	51442-0000	LEE	LIU	MINGSHING	TAIPEI TAIWAN ROC 10550	FA	00000-0000
LEON	CLARTEL	SANTO DOMINGO DOMINICAN REPUBL	FA	00000-0000	LEE	LIU	SHENGWEI	1944 E ROSEMONTE DRIVE PHOENIX	AZ	85024-0000
LEON	MARTEL	SANTO DOMINGO DOMINICAN REPUBL	FA	00000-0000	LEE	LOCHER	KATHERINE	A 208 CHERRY HILL ROAD KALAMAZOO	MI	49007-0000
LEVER BRUS CO		818 SYLVAN AVE ENGLEWOOD CLF	NJ	07642-0000	LEE	LORAS		POST OFFICE BOX 1328 HOUSTON	TX	77251-0000
LEWANDOWSKI	STEPHEN	HHT 2 4 CAV FT STEWART	GA	31314-0000	LEE	LUMAS MORTGAGE COMPANY		PO BOX 660720 DALLAS	TX	75266-0720
LEWIS	W	613 17TH AVENUE N W BIRMINGHAM	AL	35215-0000	LEE	LOONEY	BEVERLY	7050 ARAPAHO RD 2004 DALLAS	TX	75218-0000
LIC INVESTMENT		PO BOX 40 AUSTIN	TX	78767-0000	LEE	LOONEY	J	A 7627 E MINERAL DR ENGLEWOOD	CO	80112-0000
LIDDE	MARY	M 2117 CHAPEL RD BIRMINGHAM	AL	35226-0000	LEE	LOPEZ	RAMON	GAVTIER BENITEZ 217 UP SANTURCE	PR	00915-0000
LIBBEL	HELMUT	4030 RATFINGEN GOLDREGENWEG	FA	00000-0000	LEE	LOSTRANGIO	JOSEPH	2703 DUDLEY COURT BENSALEM	PA	19020-0000

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NAME	ADDRESS	STATE	ZIP	NAME	ADDRESS	STATE	ZIP
LOWS REAL ESTATE	PO BOX 507 DANVILLE	AR	72833-0000	MAIL	DENNIS RYFORD VOKNG SURRE G022 ENGLAND	FA	00000-0000
LUCINBUHL	T 5450 WILSON RD COLORADO SPRINGS	CO	80919-3522	MALINICH	STEVE 112 E W MORELAND PHILADELPHIA	PA	19134-0000
LUMMERZHEIM	PO BOX 83392 FAIRBANKS	AK	99708-0000	MALLORY	ROBERT T HQ BTRY 1ST INST FT BLISS	TX	79916-0000
LUNA	D CO 2 34 INF FT STEWART	GA	31314-0000	MALORIN	J 638 WASHINGTON ST BREAUX BRIDGE	LA	70517-0000
LUNDBERGD	B MEDIA HOUSE BOX 7108 GOTHENBERG SWEDEN	FA	00000-0000	MALORIN	J T 638 WASHINGTON ST BREAUX BRIDGE	LA	70517-0000
LYNCH	G 16 PARKSIDE DR BELLEVILLE	NJ	07109-0000	MALSINES	ARVID 5850 BALESTRAND NORWAY	FA	00000-0000
MAC HARK CHEVROLET INC	PO BOX 19431 HOUSTON	TX	77224-3431	MALTED INVESTMENT LTD			
MACDONALD	G WOLLONGONG NSW 2500 AUSTRALIA	FA	00000-0000	MAIN	MARTIN A BTRY 4 5 ADA FT HOOD	TX	76541-0000
MAE	W 1325 GARFIELD ST APT 410 DENVER	CO	80206-0000	MANNING	EDWARD 375 COLUMBUS DRIVE STRATFORD	CT	06137-0000
MACINTYRE	BECKENHAM KENT ENGLAND	FA	00000-0000	MANZELLA	FRANK VIA SALVATORE BADALAMENTI PALERMO ITALY	FA	00000-0000
MADDEN	S PO BOX 223 UNION PEIR	MI	49129-0000	MARCIORIE	ROSA E JR CANABAYA 638 DE LIMASUB GERENCIA LIMA PERU	FA	00000-0000
MAFON PONTI GMC HONDA	2285 RTE 22 ESTBOUND UNION	NJ	07083-8495	MARCHALTTIS	ANTHO 1301 PAYNE LAKE R MIDDLEVILLE	MI	00000-0000
MAGALLANUS	APT 1515 6500 W 43RD ST HOUSTON	TX	77092-4021	MARK AND ASSOCIATES			
MAGGIONE	G BOX 146 KAUMARANI KAUAI	HI	96717-0000	MARKELOS	DIMITRIOS SYDNEY 2206 AUSTRALIA	FA	00000-0000
MAGILL & CO	30 MONTGOMERY ST JERSEY CITY	NJ	07302-0000	MARKELOS	SOFIRIA SYDNEY 2206 AUSTRALIA	FA	00000-0000
MAH	RYFORD VOKNG SURRE G022 ENGLAND	FA	00000-0000	MARCVITZ	JACQUELINE 19821 W SEVEN MILE DETROIT	MI	48219-0000

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MAKOVITZ	MAX	19821 W SEVEN MILE DETROIT	MI 48219-0000	PERLURE	YAMASHITA	1600 RAPIOLAND 1100 HONOLULU	HI 96814-0000
MAKRE	MARVELLE	2920 CHARLOTTENWIND DENMARK	PA 00000-0000	PERLURE	YAMASHITA	754 EKELA AV 903 HONOLULU	HI 96816-0000
MARTIN	HAROLD	920 S JEFFERSON MT PLEASANT	TX 75455-0000	RECOMBERS	HOWARD	E HBB 1 35 FA FT STEWART	GA 31314-0000
MARTIN	HARRY	B 1150 GORGE ST TORONTO 5 ONTARIO CANA	PA 00000-0000	RECOMBEL	MICHAEL	LOT 79 KOBERSTEIN TRAILER COURT RR J PRINCETON	IN 47670-0000
MARTIN	JOHN	W PO BOX 7226 PHILADELPHIA	PA 19101-0000	RECON	HELEN	9007 PERTSHIRE ST SAN ANTONIO	TX 78250-0000
MARTIN OLDS GMC TRUCK		298 E CLEVELAND AVE NEWARK	DE 19711-1798	RECON	MARY	9007 PERTSHIRE ST SAN ANTONIO	TX 78250-0000
MARTINEZ	JOSE	APARTADO 613 PUERTO RICO ARECIBO 006	PA 00000-0000	RECOOK	STEPHEN	K HBB 3 6TH FA FT RILEY	KS 66442-0000
MATEJCEK	GEORGE	166J WRIGHT DEBOW RD JACKSON	NJ 08527-0000	MCCROY	CHARLES	1975 SHAW ROAD BAILEY	MI 49303-0000
MATSKUD E	JANE	B ST THOMAS U S 00801 VIRGINIA ISLANDS	PA 00000-0000	MCHENRYTT	WINIFRED	VALLEY FORGE 580 GENERAL SCOTT ROAD WAYNE	PA 19087-0000
MATSUMAE	TAKAARI	P DEPT F DETROIT	MI 48212-0000	MCHENRY D	MARVIN	D B BTRY 4 4TH FA FT SILL	OK 73503-0000
MATTHEWS	JOYCE	J 1206 N MURLAND PITTSBURGH	PA 15208-0000	MCHENRY D			
MAWELL	W	RD 3 BOX 157 DENVER	PA 17517-0000	MCHENRY D	ANABEL	A APT 801 93 PARK AVE DANBURY	CT 06810-7624
MAYMUMDER	SUBRATA	APT B 3449 BURLINGAME ROAD TOPEKA	KS 66611-0000	MCHENRY D	MARGARET	E 26340 WESTPHAL DR DEARBORN HTS	MI 48127-0000
MCBAIN	JUDY	D NANAIMO B C 1702 BOWEN RD CANADA	PA 00000-0000	MCI INTERNATIONAL		DRAWER 99049 FORT WORTH	TX 76199-0049
MCCARTER	DANNY	R 901D BERKSHIRE TERRACE HINESVILLE	GA 31313-0000	MCLIVAIN	ELEANOR	A 218 GLENDALOUGH RD PHILADELPHIA	PA 19118-0000
MCCARTER	MICHAEL	D 4503 SEE BALDT DETROIT	MI 48211-0000	MCLIVAIN	NANCY	H 31 POST BOY ROAD BOULDER	CO 80302-0000

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MCINNISPHERE ANTONIO URB VISTA BELLA BAYAMON PR 00619
FA 00000-0000

MENABU JOSEPH D B CO 3RD ENGR BN
FT STEWART GA 31314-0000

MENETILL ALDEN USS ROBERT BRADLEY
CHARLESTON SC 29408-0000

MENUTY EMMA G 1702 WOOD SHADOWS
HARKER HEIGHTS TX 76543-0000

MENSTOY PETER J CBSA
BRUSSELS BELGIUM FA 00000-0000

MENWORTER RODNEY A CO 724TH SB BN
FT STEWART GA 31314-0000

MEACHAN CECILE PO BOX 30298
MEMPHIS TN 38130-0000

MEBRAHTU T PO BOX 46 ASELLA ARUSS1 ETHIOPIA
FA 00000-0000

MECHANICIA CONTRACTION

MEKORTAL SCHOLARSHIP FUND
19 H TALMAR WOOD
ORONO ME 04473-0000

MEGLIN LYNCH PIERCE
PO BOX 12031
NEWARK NJ 07101-0000

MEKTON E LIBBY
19 H TALMAR WOOD
ORONO ME 04473-0000

METTFARLIN DANIEL H3B 1E7 MONTREAL QUEBEC CANADA
FA 00000-0000

METHEL GEORGE 113 BENT BOUGH CIR
COLUMBIA SC 29210-0000

MICHEL JANE 113 BENT BOUGH CIR
COLUMBIA SC 29210-0000

MICHIGAN DEPT OF TREASURY
MI 00000-0000

MILES ROBERT HHC 3 32 ARM LCD
FT HOOD TX 76544-0000

MILGRAM ABRAHAM 14 BIALIK ST
GEDERA ISRAEL FA 00000-0000

MILLER CHARLES RR 1 E CALLOWHILL RD
PERKASIE PA 01874-0000

MILLER CYNTHIA B 22 MONTGOMERY MANOR APTS
CLARKSVILLE TN 3702-0000

MILLER JERRY CERRO GORDO 151
MEXICO 21 D F MEXICO FA 00000-0000

MILLER LOUIS 11 E ORANGE GROVE RD 1715
TUCSON AZ 85704-0000

MILLER MARY 11 E ORANGE GROVE RD 1715
TUCSON AZ 85704-0000

MILLER TERRANCE L 663 BARKLEY WAY
COLUMBUS GA 31907-0000

MILLER TINA M 205 S W LINDIN 5
ANKENY IA 50021-0000

MINNEY WILLIE 615E LILLIAN
METTER GA 30439-0000

MITCHELL DENISE 27 GABRIEL LANE
WILLINGBORO NJ 08046-0000

MITCHELL WILLIAM L TWYNHOLM THE THORN 2 MAIN ST
KIRKUDBRIGHT DG6 4 PA 00000-0000

MITCHELL WILLIAM S 202 CLOUD ST
JONESBORO GA 30236-4935

MITROVICH STEVAN M SNED PALANKA 11420 YUGOSLAVIA
FA 00000-0000

MIR LANSING P S 8125 N 23RD AVENUE 135
PHOENIX AZ 85021-0000

MOORE EXPO INC 25 JUST ROAD
FAIRFIELD NJ 07006-0000

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MODERN AMER NAT CORP	PO DRAWER 3318 LITTLE ROCK	AR 72203-0000	MORROW	ROBERT	L PO BOX 102 OWASSO	OK 74075-0000
MORRISON	ANTONIO	CINCODE MAYO 281 MEXICO	MORSHEDI	MOHAMMAD	APT 301 727 MAPLEWOOD DR CEDAR FALLS	IA 50613-0000
MORRIS	JOANN	M 3737 EAST CHOLLA PHOENIX	MORSE	MARSHA	L 22 ABBOTT ST PLAINS	PA 18104-0000
MORRIS	DEWAYNE	505 W MOCKING BIRD LN IRVING	MORSE	JAMES	L 805 2335 JANE ST DOWNSVIEW CANADA	PA 00000-0000
MORRE	CAROL	PO BOX 6400 CHARLOTTE VIRGIN ISLANDS	MORSE	DAVID	1713 DELAFORD DR CARROLLTON	TX 75007-3030
MORRE	DOROTHY	9621 DORIMUND DR HUNTSVILLE	MORSE	DAWN	L 1713 DELAFORD DR CARROLLTON	TX 75007-3030
MORRE	RICK	PO BOX 6400 CHARLOTTE VIRGIN ISLANDS	MORSE	ERIN	E 1713 DELAFORD DR CARROLLTON	TX 75007-3030
MORRE	SAMUEL	L 218 WEST RD SENOIA	MORSE	LINDSEY	1713 DELAFORD DR CARROLLTON	TX 75007-3030
MOVA	JUANA	D APT 1515 6500 W 43RD ST HOUSTON	MORSE	DELBERT	HHD 502 SPT FT HOOD	TX 76544-0000
MORRISON	DANIEL	APT 5 851 RED LION RD PHILADELPHIA	MORSE	MARIE	L WALDSTR 79 6053 OBERTSHAUSEN WEST GERMANY	PA 00000-0000
MORRIS	WILLIAM	W 2102 W MISTLETOE SAN ANTONIO	MORSE	REINHOLD	WALDSTR 79 6053 OBERTSHAUSEN WEST GERMANY	PA 00000-0000
MORRIS MOORE CHEV BUICK	KETURAH	PO BOX 1025 SILSBEE	MORRISON	JOHN	C 437 ST JAMES ST WEST MONTREAL CANADA	PA 00000-0000
MORRISON	MILTON	L BOX 737 SALINA	MORRISON	THOMAS	D 1911 EASTERN AVE RED OAK	IA 51506-0000
MORRISON	REBECCA	A BOX 737 SALINA	MORRISON	WILLIAM	W 1906 NW 14 OKLAHOMA CITY	OK 73106-0000
MORRISSEY	MATTHEW	D 3939 N DEARING RD PARMA	MYATT	CLIFFORD	E 1400 BANCO POPULAR C HATO REY PR	PA 00000-0000
			MYERS	ARTHUR	A 4260 JULIAN ST DENVER	CO 80211-0000

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MYERS D W BOX 1132 MT 59725-0000
DILLION

MYERS KATHERINE H 4260 JULIAN ST CO 80211-0000
DENVER

MYERS MORTON I 240 ONE OLIVER PLAZA PA 15222-0000
PITTSBURGH

MYERS HITOSHO NISHINOMIYA SHI HYOGO KEN 669 11 JAPAN
JAPAN

MYERS SUVIMOL SOMDEJCHAOPHYA RD KLONGSAN BANGKOK 6 THAILAND FA 00000-0000

NATIONAL BAPTIST CONVENT 1540 PIERRE AVENUE LA 71103-0000
SHREVEPORT

NATIONAL MORTGAGE CO 4040 KNIGHT ARNOLD ROAD PO BOX 18559 MEMPHIS TN 38181-0559

NATIONAL SEMINARS INC 6901 W 634D PO BOX 2949 SHAWNEE MISSION KS 66201-1449

NELSON JAELE C CO 2 69 TH ARMOUR GA 31905-0000
FT BENNING

NELSON GAVELLEN UNIT 809 351 NO POST OAK LN TX 76063-0000
HOUSTON

NELSON ALAN 3000 HARBOUR LAKE DR SC 29414-0000
GOOSE CREEK

NELSON BELL SANDLER BUICK PONTIAC PO BOX 1419 TN 37133-1419
MURFREESBORO

NELSON PHILIP BOONE LA 50401-0000

NELSON ROBERT E 158 WALTON RD FA 15236-0000
PITTSBURGH

NELSON WILLIAM 319 ORIOLE DR TN 37411-5134
CHATTANOOGA

NELSON SAMUEL APT W 3 4133 CHURCH ST GA 30021-0000
CLARKSTON

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NEUMANN POST OFFICE BOX 1328 TX 77241-0000
HOUSTON

NEUMANN CARMEN SAINT LAMBERT QUEBEC J4R 2 CANADA
FA 00000-0000

NEW EQUITY FUND LTD BCCA7Y 1A2VANCOUVER CANADA
FA 00000-0000

NEW JERSEY DIVISION OF TAXATION NJ 00000-0000

NEW JERSEY SPECIAL OLYMPI NJ 00000-0000

NEW JERSEY STATE TREASURER NJ 00000-0000

NIEZCZICKI MARTIN 66 TUNXIS ST CT 06053-0000
NEW BRITAIN

NIELSEN KEVIN A TRP 4 12 CAV LA 71459-0000
FT POLK

NIELSEN BEVERLY 1054 WOODLAND PARK DRIVE IA 50205-0000
WEST DES MOINES

NIMS JERRY 665 TANGLEWOOD TRAIL NW GA 30327-0000
ATLANTA

NISHIKAWA KO SUNFOGUN SHIZUOKAKEN 411 JAPAN
FA 00000-0000

NISHIKAWA HIROAKI FACULTY OF SCIENCE DEPT OF CHEMISTRY KANAZAWA 920 JAPAN FA 00000-0000

NOLAN H 4417 LUCKEY DR NY 13153-0000
CORPUS CHRISTI

NORTH AMERICAN MORTGAGE 5330 MANHATTAN CIRCLE CO 80503-0000
BOULDER

OBIERO EMMANUEL U AWKA CAMPUS ANAMBRA STATE UNIV OF TE NIGERIA FA 00000-0000

OGHARJE AMAURY 8 HAMPERIR NJ 00648-0000
MT LAWELE

OGHARJE MARK PO BOX 1153 CAGUAS 00626 PUERTO RICO

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OLDFN	STEPHEN	PO BOX 5252 FLINT	MI 48505-0000	FA 00000-0000
OHARE	KEVIN	1216 CALDWELL COURT SOUTH BELCAMP	MD 21017-1405	MD 21017-1405
OKLAHOMA SECURITIES COMMISSION				OK 00000-0000
OLSON	JAMES	C 1948 E ELLIS CIRCLE MESA	AZ 85205-1000	AZ 85205-1000
OLSON	ROBERT	C 1948 E ELLIS CIRCLE MESA	AZ 85205-1000	AZ 85205-1000
OLSON	RONALD	F 422 E CARDINAL HARKER HTS	TX 76513-0000	TX 76513-0000
OMALLEY	PAATRICK	W 5516 HAWTHORNE LITTLE ROCK	AR 72203-0000	AR 72203-0000
ONEILL	FRANCIS	RIO PIEDRAS 00927 PUERTO RICO	PR 00927-0000	PR 00927-0000
ONELLI	MILDRED	A 4982 SENTINEL DRIVE BETHESDAE	MD 20816-0000	MD 20816-0000
ORD	JOHN	R 600 S CHERRY ST 88192 877 050	CO 80222-0000	CO 80222-0000
ORD	M	R 600 S CHERRY ST 88192 877 050	CO 80222-0000	CO 80222-0000
ORFEL	EDWARD	F 16TH MASH FORT RILEY	KS 66442-0000	KS 66442-0000
ORFEL	EDWIN	PO BOX 493 QUEBRADILLAS	PR 00742-0000	PR 00742-0000
OSHA	BARRY	RT 2 BOX 182 PRARIE GROVE	AR 72753-0000	AR 72753-0000
OSHA	KIMBERLY	RT 2 BOX 182 PRARIE GROVE	AR 72753-0000	AR 72753-0000
OSHA	JOSEPH	M 17078 KNOTS LANDING		

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OSULLIVAN	DAVID	B 9545 W 74TH AVE ARVADA	CO 80005-0000	TX 75248-1029
OSULLIVAN	HELENE	9545 W 74TH AVE ARVADA	CO 80005-0000	CO 80005-0000
OTTEN	CAYO	E 2106 ES HEEMSTEDE NETHERLANDS	FA 00000-0000	CO 80005-0000
OWEN	TERRENCE	M 31 S EATON PL LONDON ENGLAND	FA 00000-0000	FA 00000-0000
OWEN	BRIAN	F 4406 UNIVERSITY BLVD DALLAS	TX 00000-0000	TX 00000-0000
OWEN	LYNNE	H 4406 UNIVERSITY BLVD DALLAS	TX 00000-0000	TX 00000-0000
OXFORD FEDERAL CREDIT UNION		PO BOX 252 MEXICO	ME 04257-0000	ME 04257-0000
PADDO	LUIS	HHD 1 MEDD CO FT HOOD	TX 76714-0000	TX 76714-0000
PAGE	PATRICIA	PO BOX 52 TWIN LAKES	WI 53331-0000	WI 53331-0000
PAFFENBARGER	MICHAEL	786 TEN POINT DRIVE ROCHESTER	MI 48065-0000	MI 48065-0000
PARRA	WILMA	J PO BOX 266 ELERIDA	AZ 85610-0000	AZ 85610-0000
PARRONE CORP		PO BOX 100299 ATLANTA	GA 30384-0000	GA 30384-0000
PARK	MOIRA	H FORT ERIE ONTARIO CANADA	FA 00000-0000	FA 00000-0000
PARKER	NORBERT	E 6107 N JOHNSON NEW ORLEANS	LA 70117-0000	LA 70117-0000
PARKER	PAUL	C 5 WOOD LN ENGLAND	FA 00000-0000	FA 00000-0000
PARKER	RALPH	E RR 1 BOX 49		

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PERKINS	ANTONIO	ELORA	TN 37328-0000
PARTAP	CAROL	PROV TERAMO MONTONE ITALY	FA 00000-0000
PATRONE	BRENDON	A APT 3 18 ELWAY CT TORONTO ONT	FA 00000-0000
PATON	EDWARD	A CO 1 4 CAV	KS 66442-0000
PATTERSON	MARILYN	FT RILEY	KS 66442-0000
PEPPERSON	STEVEN	D 1694 W GLENDALE AVE APT 149	AZ 85021-0000
PELLEAS	ANTHONY	PHOENIX	AZ 85064-0000
PAYTON	TERRENCE	2002 E OSBORN RD PO BOX 10067	AZ 85064-0000
PEARRETT	MALCOTT	PHOENIX	AZ 85064-0000
PEL	JAMES	J 2002 E OSBORN RD PO BOX 10067	AZ 85064-0000
PEPPER	MARLIN	RR 2 BOX 254 ELM VALLEY RD	MI 49128-0000
PELIER	JOHN	THREE OAKS	MI 49128-0000
PENNBRAUFORD STOCK SERVICES INC	JUAN	E 2606 LUTHER DR	MS 38930-0000
PEREZ	ARTHUR	GREENWOOD	MS 38930-0000
PEREZ	ARTHUR	J WARLINGHAM SURREY ENGLAND	FA 00000-0000
PEREZ	ARTHUR	2924 EULA DRIVE	IA 50322-0000
PEREZ	ARTHUR	DES MOINES	IA 50322-0000
PEREZ	ARTHUR	N RT 2	IA 52353-0000
PEREZ	ARTHUR	WASHINGTON	IA 52353-0000
PEREZ	ARTHUR	1819 HIGHLAND DR	TX 75006-0000
PEREZ	ARTHUR	CARROLLTON	TX 75006-0000
PEREZ	ARTHUR	COMMERCE CT 3RD FL 4 STATION SQ	PA 15219-0000
PEREZ	ARTHUR	PITTSBURG	PA 15219-0000
PEREZ	ARTHUR	S PUERTO RICO SAN SEBASTIAN 00755	FA 00000-0000
PEREZ	ARTHUR	BETHESDA	MD 20817-0000

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PERRY	JOHN	C 120 BEAVER BROOK RD	CT 06810-0220
PESCHIERA	ALFONSO	DANBURY	CT 06810-0220
PETERSON	GORDON	MIRAFLORES 201 60 PL SO	FA 00000-0000
PETRAS	BARBARA	LIMA PERU	FA 00000-0000
PETRUZZO	MICHAEL	E PO BOX 40476	TX 78229-0000
PETZOLD	SIEGELINDA	SAN ANTONIO	TX 78229-0000
PEYTON	JASON	J RD 2 ROUTE 502	PA 18641-0000
PHARR	CLAYTON	AVOCA	PA 18641-0000
PHILLAN	PATRICK	56 SOUTH MORTON AVE	PA 19070-0000
PHILLIPPE	EDWARD	MORTON	PA 19070-0000
PHILLIPS	JERRY	ENGSTENBERGER HUBEL 16	FA 00000-0000
PHILLIPS	PETER	DENTHAL OSEN	FA 00000-0000
PHILLIPS	RUTH	609TH AVN BOX 7003	GA 31409-0000
PHILLIPS	EDWARD	HUNTER AAF	GA 31409-0000
PHILLIPS	EDWARD	702 BOULEVARD SE	GA 30312-0000
PHILLIPS	EDWARD	ATLANTA	GA 30312-0000
PHILLIPS	EDWARD	J PO BOX 52	WI 53181-0000
PHILLIPS	EDWARD	TWIN LAKES	WI 53181-0000
PHILLIPS	EDWARD	4509 E CORTEZ	AZ 85026-0000
PHILLIPS	EDWARD	PHOENIX	AZ 85026-0000
PHILLIPS	EDWARD	L 147 STEELE BLVD	LA 70066-0000
PHILLIPS	EDWARD	BATON ROUGE	LA 70066-0000
PHILLIPS	EDWARD	S RTE 15 BOX 68	TN 37000-0000
PHILLIPS	EDWARD	CLARKSVILLE	TN 37000-0000
PHILLIPS	EDWARD	A 2495 SHENANDOAH DRIVE	TN 37000-0000
PHILLIPS	EDWARD	CHATTANOOGA	TN 37000-0000
PHILLIPS	EDWARD	CARETERA CASTILLIN KM 56	FA 00000-0000
PHILLIPS	EDWARD	ZARAGOZA SPAIN	FA 00000-0000
PHILLIPS	EDWARD	49 RUE LANCON 75013 PARIS	FA 00000-0000
PHILLIPS	EDWARD	49 RUE LANCON 75013 PARIS	FA 00000-0000

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PINARD	DOROTHY	D 44539 BLUE STAR HWY COLOMA	MI	49038-0000
PIROLA	CHARLES	PIROLA VIA MARTINO L	PA	00000-0000
PIROLA	EMILIE	O PIROLA VIA MARTINO L	PA	00000-0000
PIZZA HUT INC		9111 E DOUGLAS WICHITA	KS	67203-0000
PIZZA HUT OF AMERICA INC		PO BOX 428 WICHITA	KS	67211-0000
POLING	JOHN	381 HARBOR DRIVE 10 CLAYMONT	DE	19724-0000
POMPA	J	N PO BOX 217 ROMA	TX	78584-0000
PORTER	ROBERT	V 66 NO LIVINGSTON AVE LIVINGSTON	NJ	07039-0000
PORTA	DALLA	1295 OF 602 JESUS MARIA LIMA PERU	PA	00000-0000
PORTER	ROBERT	M 2401 PENN AVE PHILADELPHIA	PA	19130-0000
POTLER	BETTY	42 GARRISON RIDGE CT OWINGS MILLS	MD	21117-0000
POWER L	JAMES	5756 SW BVRTN HILLS HWY PORTLAND	OR	97221-0000
POWER L	TOMMY	SPRINGHILL CB 100 SWIFT BLVD GOOSE CREEK	SC	29115-0000
PRESIDENT CONTAINER CORP		200 W COMMERCIAL AVE MOONACHIE	NJ	07071-0000
PRESLEY	ELAINE	1721 PRYOR RD 8 S W ATLANTA	GA	30115-0000
PRINCE S	ARLETTA	M TULSA COUNTY COURTHOUSE TULSA	OK	74104-0000

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PRIME	GEORGE	A C BTRY 1 55 ADA FT POLK	LA	71459-0000
PROKOPOS	FOTIOS	XYLOKASTRO GRECE	FA	00000-0-000
PROKOPUS	GEORGE	XYLOKASTRO GRECE	FA	00000 0000
PROFUDUS	IOANNIS	XYLOKASTRO GRECE	FA	00000-0-000
PROKOPUS	YEAPANTTI	XYLOKASTRO GRECE	FA	00000 0000
PRYLL	WANDA	W 123 CLARK 3RD FL HARTFORD	CT	06100-0-000
POULJANO	HELEN	L 417 GILMORE AVE TRAFFORD	PA	15085-0000
POULJANO	JAMES	W 417 GILMORE AVE TRAFFORD	PA	15085-0000
QUINONEZ	SIMON	305 ELM RD LOT C11 KILLEEN	TX	76541-000
QURESHI	IQBAL	11130 FM 1960 WEST HOUSTON	TX	77067-0000
R & D PARTNERSHIP		2608 ASHWORTH RD WEST DES MOINES	IA	50266-0000
RAHBARI	HABIB	71 BLVD BEAUMARCHAIS PARIS FRANCE	7500J FA	00000-0000
RADERSSTOFF	ALOYSIUS	L 61274 W DONALD RD WAY VANDALIA	MI	49095-0000
RADERSSTOFF	GARY	L 61274 W DONALD RD WAY VANDALIA	MI	49095-0000
RADIOLOGY IMAGING ASSOC PC		3576 SOUTH LOGAN ST ENGLEWOOD	CO	80110-0000
RADETHLUK	A	BUENOS AIRES 24 ARGENTINA	FA	00000-0000

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KAUFMAN	BADIA	BOX 88194 RIVADH 11662 SAUDI ARABIA	FA 00000-0000
KAUFMAN	MARTHA	D BOX 88194 RIVADH 11662 SAUDI ARABIA	FA 00000-0000
KAUFMAN	ZAID	A C CO 4TH MSG FT STEWART	GA 31314-0000
KAUFMAN	JOHN	J 112 VILLAGE ROAD EAST ELKTON	MD 21921-0000
KAUFMAN	MARTHA	S 8541 WALNUT HILL UTICA	MI 48087-0000
KAUFMAN	VICTORIA	H HHSB 3 9TH FA FT SILL	OK 73503-0000
KAUFMAN	RUPERTO	R HC 02 BOX 7003 PUERTO RICO YABUCCA 0	FA 00000-0000
KAUFMAN	ROBERT	4845 W WARRE AVE DENVER	CO 80219-0000
KAUFMAN	HAROLD	L HHC 2 BDE 2AD FT HOOD	TX 76546-0000
KAUFMAN	FERDINAND	L 753 PARAMUS RD PARAMUS	NJ 00000-0000
KAUFMAN	MARYANN	753 PARAMUS RD PARAMUS	NJ 00000-0000
KAUFMAN JIM CHEV RONALD	D	WINDHEM	ME 04062-0000
KAUFMAN	AURELIA	19 AV KRIEG 1208 GENEVA SWITZERLAND	FA 00000-0000
KAUFMAN	IF	SECTION 7 11137 TAIPEI CHINA	FA 00000-0000
KAUFMAN	KELLY	A 500 ASTRO CT BALTIMORE	MD 21234-0000
KAUFMAN	ERIC	D HHC 1977H SPT BN FT BENNING	GA 31905-0000

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KEED	FRANK	E 418TH TRAN CO 13TH SUPCOM FT HOOD	TX 76544-0000
KEED	HARRY	J PO BOX 2194 VENTNOR CITY	NJ 08406-0194
KEEDER	JOHATHAN	225 HEATHER WOOD DR EPHRATA	PA 17522-0000
KEEVES	MARY	A RT 1 BOX 128 A SILAS	AL 36919-0000
KEGODON	A	C ALABAT QUEZON 3931 PHILIPPINES	FA 00000-0000
KEGODON	ANITA	E ALABAT QUEZON 3931 PHILIPPINES	FA 00000-0000
KEITLER	GARY	L HHT 2 1 CAV 2AD FT HOOD	TX 76546-0000
KEITLER TTLS	BETTY	D 3556 WEIMER LAHN 1H GERMANY	FA 00000-0000
REPUBLIC NATIONAL BANK OF DALLAS		PO BOX 390 DALLAS	TX 75221-0000
REKACH	HANS	PO BOX 362557 SAN JUAN	PR 009362557 PR FA 00000-0000
REYES	ALEJANDRO	APT 8 1328 BOMAR ST HOUSTON	TX 77006-0000
REYES	LIBRADA	P MANILLA 00403 PHILIPPINES	FA 00000-0000
REYNOLDS	EDWARD	14630 N 60TH JONES	MI 49001-0000
REYNOLDS	YOLANDA	16 EAKENS COURT MAHWAH	NJ 07430-0000
REZNIKOFF	JACOB	APT 415 SANTURCE 60907 PUERTO RICO	FA 00000-0000
REZNIKOFF	MICHAEL	E 208 LENOX ST DETROIT	MI 48214-0000

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REDFORD GILL CO

PO BOX 758
SAN ANTONIO

TX 78201-0000

REDFORD ROSSON

M HHC 1 CAV DIV
FT HOOD

TX 76544-0000

RICHIE HENDRICK CHEVROLET

PO BOX 30969
CHARLESTON

SC 29417-0969

RICHIE

REBECCA
NO 208 6040 RICHMOND HWY
ALEXANDRIA

VA 22303-0000

RIEGER

HILDEGARD M 1702 W CAMELBACK
PHOENIX

AZ 85015-3337

RIEGER

NATHAN
1369 EAST THIRD STREET
BROOKLYN

NY 11230-0000

RIPSTEIN

BERTHA
3468 DRUMMOND ST MONTREAL, QUEBEC H3H
FA 00000-0000

RIEGER

DANIEL
8414 PLUM LAKE
HOUSTON

TX 77095-0000

RIVERA

JORGE
L CALLE 10 L17 PUERTO RICO
PUERTO RICO

FA 00000-0000

ROBERTS

CATHERINE
3216 INDIAN RD
DAVENPORT

IA 52802-0000

ROBINSON

ALMA
J 4439 BLUE STAR HWY
COLOMA

MI 49018-0000

RODRIGUEZ

EDGARDO
D URB LAS LEANDRAS
HUMACAO

FA 00000-0000

ROE

VERNON
E MIDDLESEX OTW16 ENGLAND

FA 00000-0000

ROWE

MICHAEL
A 15017 NARROWS LN
BOWIE

MD 20716-1203

ROBLER

FRANK
J APT 2311 2300 W TAYLOR
SHERMAN

TX 75090-0000

ROBERT

FRAN
1053 8 MILE RD
COMSTOCK PARK

MI 49121-0000

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ROSE
FREDERICK B 4540 ST CATHERINE
W MONTREAL CANADA

FA 00000-0000

ROSENBERG

KEITH
G CO B 15TH SPT BN 1CD
FT HOOD

TX 76544-0000

ROSS

CARL
D 215 MAGNOLA
NEW ILANO

LA 71101-0000

ROPER-ARD

JULIE
7275 ROSWELL RD NE 433
ATLANTA

GA 30328-0000

ROZENTALS

VALIDIS
5320 CANEWOOD AVE
MEMPHIS

TN 38134-0000

ROZENTALS

ZENTA
5320 CANEWOOD AVE
MEMPHIS

TN 38134-0000

RUBIE

GARY
A 1013 SPRING STREET
BURLINGTON

IA 52601-0000

RUDA

ALMA
M 89 LINDA AVE
LANCASTER

PA 17602-0000

RUETSCHIE

CRAIG
S 9050 FLORIN WAY
UPPER MARLBORO

MD 20772-5230

RUSSALI

JAMES
FAIRHILL DUNBARTONSHIRE SCOTLAND
FA 00000-0000

RUSSOM

JOSEPH
APT 1 26 BOYD ST
BANGOR

ME 04401-0000

RUSS

KATHARINA

9854 69 AVE EDMONTON ALBERTA CANADA
FA 00000-0000

RUSS

LINUS
C 1227 24 RUE DULLEVREY
GENEVA SWITZERLAND

FA 00000-0000

RUSSLAND GATE PTY LIMITED

SUPREME COURT NEW SOUTH WALES AUSTRALIA
FA 00000-0000

RUSSLAND

ANN

SECTION 7
11137 TAIPEI CHINA

FA 00000-0000

RUSS

THOMAS

G 4285 ROSEWOOD LN
ALLEN TOWN

PA 18103-9618

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S NELSON UNITED BANK	WILLIAM	711 HIGH ST DES MOINES	IA	50309-0000	SANANEN	MARJATTA	AHVENTIE 13 A2 OULU FINLAND	IA	00000-0000
SAAVEDRA	WILLIAM	O HHT 2 4 CAV FT STEWART	GA	31314-0000	SARILLES	OSMIN	2540 WASINA DR FARMERS BRANCH	TX	75234-0000
SACHDEV	RAVINDER	K 4010 PRESCOTT DR MARTINEZ	GA	30907-0000	SARMAK	NAHEED	PO BOX 146 HANOVER	NJ	03755-0000
SAGER	WILLIAM	A BTRY 2 2ND PA FT SILL	OK	73503-0000	SAUNDERS	DORIS	E 6223 WHITESTONE RD JACKSON	MS	39206-0000
SATLE	ANDREAS	K HOHENZOLLERNRING 43 AMNEBBUCH 5	PA	00000-0000	SAVAGE	MICHAEL	K HHC 4 64 ARMOR FT STEWART	GA	31314-0000
SATLE	MARLENE	HOHENZOLLERNRING 43 AMNEBBUCH 5	PA	00000-0000	SAVANNAH	ALEXANDER	HHC REC STA FT BENNING	GA	31905-0000
SATANT	JULIO	COLLODI PROV PISTOLA ITALY	PA	00000-0000	SCHAUMBURG MINI STORAG		30 S HAVANA 30/ AURORA	CO	80012-0000
SALKER OLDS GMC TRUCK INC		PO BOX 7698 ALEXANDRIA	LA	71306-0698	SCHILLER	ALICE	RR 1 BOX 147 SAWYER	MI	49125-0000
SALTSCHON	FLORENCE	6902 TETON SAN ANTONIO	TX	78233-0000	SCHILLER	BILLIE	J 119 N HAVEN DR SAN ANTONIO	TX	78229-0000
SAMS	JAMES	D USS CANOUPAS KINGS BAY	GA	31547-0000	SCHULZEFER	ROSA		PA	00000-0000
SANDERS	DARRELL	D HHC 2ND BDE FT RILEY	KS	66442-0000	SCHULZORN	JAMES	P RTE 1 BOX 258 A CUNNINGHAM	TN	37162-0000
SANDERS	ELIZABETH	R HHC USAG FT POLK	LA	71459-0000	SCHULZOR	ALEX	A 114 SPRINGS EDGE MONTGOMERY	TX	77065-0000
SARTEN	RICHARD	GRACE HOLLOGNE BELGIUM	PA	00000-0000	SCHUBERT	ROBERT	J 6129 LANDOVER RD CHEVERLY	MD	20735-0000
SARTUS	LIWANAG	G PO BOX 157 TRENTON	NJ	08636-0000	SCHUBERT	ROBERT	210 N 3RD ST MARSHALLTOWN	IA	50158-0000
SARTUS	RAFAEL	103 N WAYNE ST WEST CHESTER	PA	19380-0000	SCHUBETH	W	M PO BOX 25427 DALLAS	TX	75225-0000
SARAKEN	JUKKA	A AHVENTIE 13 A2 OULU FINLAND	PA	00000-0000	SCHULZPIESS	HEINER	P REMETSCHWILL SWITZERLAND	PA	00000-0000

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SCHEIDT	PAUL	R 3123 WASHINGTON RD AUGUSTA	GA 30907-0000	SHELL OIL CO EASTERN T	JOHN	W MCSRGO 3 PLT KINGSBAY	TX 72544-0000
SCHWAB	JILL	1058 PARK MEADOW BEAUMONT	TX 77006-0000	SHERMAN	ROB	R B CO 224TH SB FT STEWART	GA 31517-0000
SCOTT	MAX	E 8412 S 77E AVE TULSA	OK 74134-0000	SHERMAN	ELEANOR	R CONTINENTAL BANK HOUSE LONDON ENGLAND	GA 31111-0000
SCRIBNER	DAVID	GENERAL DELIVERY HAGAR SHORES	MI 48033-0000	SHERMAN	GARY	J 6063 E CORTEZ DR SCOTTSDALE	GA 30000-0000
SCRIBNER	DOROTHY	GENERAL DELIVERY HAGAR SHORES	MI 48033-0000	SHERMAN	JAMES	E CONTINENTAL BANK HOUSE LONDON ENGLAND	AZ 85251-0000
SEAR	ROSLYN	200 N NEGLEY AVE PITTSBURGH	PA 15206-0000	SHERMAN	THOMAS	W 638 E STATE ST TRENTON	FA 00000-0000
SECORD FUNDING CORP		PO BOX 26720 OKLAHOMA	OK 73126-0000	SHIBAHARA	HIROYASU	612 KY NISHIKYO KU ODE JAPAN	NJ 08609-0000
SECTERA GENERAL		TURKEY	FA 00000-0000	SHIBAHARA	KUMIYO	612 KY NISHIKYO KU ODE JAPAN	FA 00000-0000
SEIFERT	GAR	HHC 1 & CAV FT HOOD	TX 76544-0000	SHIFFER	BRONIA	110 445 PARTRIDGE AVE WINNIPEG CANADA	FA 00000-0000
SHAH	FARHEEN	EDMONTON ALBERTA T6K2P3 CANADA	FA 00000-0000	SHIFFER	LESLIE	A BURY 2 2ND FA FT SILL	OK 73060-0000
SHAH	JAVED	EDMONTON ALBERTA T6K2P3 CANADA	FA 00000-0000	SHIFFER	GERALD	RT 8 BOX 367 MOUNTAIN HOME	AR 72651-0000
SHARON	A	PIKUD DAROM BEERSHEBA ISRAEL	FA 00000-0000	SHUKINSKY	JASON	9812 GLENOLDEN DR POTOMAC	MD 20851-0000
SHEARD	JOHN	219 WYCHWOOD AVE TORONTO CANADA	FA 00000-0000	SHUKINSKY	STEVEN	9812 GLENOLDEN DR POTOMAC	MD 20854-0000
SHERSON AMERICAN EXPRESS INC		WASHINGTON SQUARE STATION PO BOX 953 JERSEY CITY	NJ 07303-0000	SHUKINSKY	GREGORY	RT 1 BOX 88 MONROE	GA 30655-0000
SHERSON HAYDEN STONE		PO BOX 777 W9700 PHILADELPHIA	PA 19175-0000	SHUKINSKY	FRANK	W PO BOX 59114 DALLAS	TX 75229-0000
SHERSON LEHMAN AMERICAN		WASHINGTON SQUARE STATION PO BOX 953 JERSEY CITY	NJ 07303-0000				

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SIMPSON	ALLEN	D A CO 1 5 FA FT RILEY	KS	66412-0000
SIMPSON	RUTH	W 1401 WALNUT ST PHILADELPHIA	PA	19102-0000
SIMPSON	SAMUEL	W 1401 WALNUT ST PHILADELPHIA	PA	19102-0000
SIMS	GRAYSON	BOX 39 S NEWFANE	VT	05351-0000
SKOGH	LARS	L VAKTARE CARLS VAG 2 ULRICEHAMN SWEDEN	FA	00000-0000
SMITH	RANDOVAN	25 BEVDALE RD WILLOWDALE CANADA	FA	00000-0000
SMITH	NATHANIEL	A CO 2ND FSB FT POLK	LA	71309-0000
SMY	BRIAN	D ECHO 2 21 INF FT STEWART	GA	31314-0000
SMITH	STEVEN	J 2555 WHITE OAK SOUTH SIDE	AL	35903-0000
SMITH	VALERIE	A 2555 WHITE OAK SOUTH SIDE	AL	35903-0000
SMITH	BETTIE	14900 LASATER DALLAS	TX	75253-0000
SMITH	E	7320 OLD YORK RD PHILADELPHIA	PA	19126-0000
SMITH	MARY	E RR 6 BOX 904D LEANDER	TX	78611-0000
SMITH	ROBERT	1021 ARBOR VISTA JACKSON	MS	39029-0000
SMITH	GLADYS	B 1614 ROSELYN AVE SCRANTON	PA	18510-0000
SNYDER	DALE	800 TRACEY ST KITCHENER ONTARIO	FA	00000-0000

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SOCIETE FRANCAISE DE DEVELOPPEMENT ET DE FR/5009 PARIS FRANCE	FA	00000-0000
52 AVE DES CHAMPS ELYSEPARIS 8E FRANCE	FA	00000-0000
PO BOX 1333 SEGUIN	TX	78156-1133
851 RED LION RD PHILADELPHIA	PA	19115-0000
113 S MAIN STREET MEMPHIS	TN	38103-2910
113 S MAIN STREET MEMPHIS	TN	38103-2910
113 S MAIN STREET MEMPHIS	TN	38103-2910
SUITE 501 1205 PENDELTON COLUMBIA	SC	29201-0000
ONE CONSTITUTION PLAZA HARTFORD	CT	00000-0000
A 4A AVENIDA NORTE 45 ANTIQUA GUATEMALA	FA	00000-0000
29901 MAGONLIA DR FLAT ROCK	MI	48134-0000
SUITE 200 1010 CONCORD AVE WILLMINGTON	DE	19812-0000
PO BOX 1030 DUBUQUE	IA	52001-0000
M PO BOX 711 LITTLE ROCK	AR	72201-0000
2940 CAMBRIA RD RPT 4 HILLSDALE	MI	49242-0000
R R 2 BOX 422 A ARAB	AL	35016-0000

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STAGGERS	JAMES	M B BTRY 1 13TH FA FT STEWART	GA 31314-0000	
STALGER	MARTIN	D 73 ESSLINGEN WEST GERMANY	PA 00000-0000	
STAN MCNABB CHEV OLDS		PO BOX 730 TULIAHOMA	TX 37388-0730	
STARR	MARC	R 2311 W RT 70 CHERRY HILL	NJ 08002-0000	
STATE BK OF WAVERLY			LA 00000-0000	
STATE OF SOUTH CAROLINA			SC 00000-0000	
STATESMAN MORTGAGE CO		PO BOX 9128 DES MOINES	IA 50306-0000	
STEIN	KARL	H 5 KOLN SULZ 41 GEROLSTEINSTR 91 GERMANY	PA 00000-0000	
STEINER	LINDA	E 2250 N ROCK RD 253 WICHITA	KS 67226-2452	
STEFANUS	ADRIENNE	A BOS 4938 SCOTTSDALE	AZ 85258-6000	
STEFANUS	RUFUS	US ARMY DENTAC FT JACKSON	SC 29207-6000	
STEVENS	D	L 31 POST BOY ROAD BOULDER	CO 80302-0000	
STEWART	JAMES	MIDDLEBROUGH ENGLAND	PA 00000-0000	
STEWART	MARY	E MIDDLEBROUGH ENGLAND	PA 00000-0000	
STOCKMAN	JAMES	HHT 3 7 CAV FT HOOD	TX 76546-0000	
STOJESKI	ROBERT	171 JEWELL GARFIELD	NJ 07026-0000	

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	HENRYKA	9545 W 74TH AVE ARVA	CO 80005-0000	
	NILS	H APT J4 G A HAGERSV TABY SWEDEN	PA 00000-0000	
	DANIEL	K RT 1 BOX 490A KEARNYSVILLE	WV 25434-0000	
	HOMER	F 9232 HAPPY HOLLOW CT GRAND BLANC	MI 48149-0000	
	LEE	P 714 DUNLAP ST LANCASTER	SC 29226-0000	
	LINDA	M 271 VAN ORDER DR KINGSTON	ONTARIO CA 90000-0000	
	RESSYE	B 4008 VINE ST BRADBURY HEIGHTS	MO 20144-0000	
	LINDA	D 143 ABERDEEN ST PHILADELPHIA	PA 19131-0000	
	NANCY	S 19725 ALMOND ST PARANAQUI	PHILIPPINE ISLANDS PA 00000-0000	
	THEODORO	C 19725 ALMOND ST PARANAQUI	PHILIPPINE ISLANDS PA 00000-0000	
		PO BOX 252 MEXICO	MX 00000-0000	
	FELTON	PO BOX 48793 ATLANTA	GA 30307-0000	
	CAROLE	RR3 RED OAK	LA 51566-0000	
	MELVIN	RR3 RED OAK	LA 51566-0000	
	FRANK	72 SPANISH STREET ST AUGUSTINE	FL 32084-0000	
	JEFF	HHC 209TH INF REGT FT BENNING	GA 31905-0000	

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SUSSNER	ELIZABETH	KORNACKER 76 2082 HAMBURG 54 GERMANY	FA 00000-0000	TAYLOR	LAWRENCE	103 BAILEY ST STARKVILLE	MS 39714-0000
SUTTON	TRENTON	PSC 1 BOX 3827 BARKSDALE AFB	LA 71110-0000	TAYLOR	LYNNE	M 104 TIMBERLAKE CT SUMMERVILLE	SC 29483-0000
TAMM	EL	SUITE 732 735 FIRST NATIONAL BANK BL PHOENIX	AZ 00000-0000	TAZEWELL	COUNTY TREAS	PO BOX 660720 DALLAS	TX 75204-0000
SZABO	KEVIN	39321 ELIOT MT CLEMENS	MI 48043-0000	TELETYPE	SYSTEMS INC	600 PLAZA TWO JERSEY CITY	NJ 07311-0000
SZABO	LAWRENCE	P 39321 ELIOT MT CLEMENS	MI 48043-0000	TERRAS	PEREGRIN	PO BOX 457 ARECIBO 00613 PUERTO RICO	FA 00000-0000
SZABO	MICHELLE	A 39321 ELIOT MT CLEMENS	MI 48043-0000	TEXAS	COMMERCE BANK HOUSTON	PO BOX 2558 HOUSTON	TX 77252-2558
WAKESHITA	KEIZO	MINAMI KU 12 ENOKICHO 1 CHOME YOKOHAMA 232 JAPAN	FA 00000-0000	THACKSTON	CAROLYN	G 147 FERNRIDGE DR SPARTANBURG	SC 29302-0000
WALMAN	JULIA	609 SE TAYLOR ST PORTLAND	OR 97214-0000	THOMAS	GLENFORD	7B ST THOMAS 00801 VIRGIN ISLANDS	FA 00000-0000
WAMEZ	ROBERT	L 739 W TABLETON ST STEPHENSVILLE	TX 76401-0000	THOMAS	KEVIN	84TH CHEM CO FT POLK	LA 71459-0000
WAMLYN	JEAN	R 2903 COUNTRY CLUB BLVD SUGAR LAND	TX 77478-0000	THOMPSON	WILLIAM	H 6509 ST JOHN DRIVE FT WORTH	TX 76132-0000
WAMPARI	MAUNO	HYVINKAA FINLAND 058 FINLAND	FA 00000-0000	THORNTON	GARY	L C CO 3 19 INF FT STEWART	GA 31314-0000
WAMPARI	TUULA	HYVINKAA FINLAND 058 FINLAND	FA 00000-0000	THORNTON	JOHN	C RTE 4 BOX 165 LITTLE ROCK	AR 72206-0000
WAN	GIM	KLONGSAN 14 SOI SOMDEJCHAOPIYA 14 BANGKOK 6 THAILAND	FA 00000-0000	TIBBS	GARRY	2AD BAND FT HOOD	TX 76514-0000
WATERS	ROBYN	D 2806 CAALENDER LAKE DR MO CITY	TX 77459-0000	TILLMAN	JOSEPH	632ND MAINT CO FT STEWART	GA 31314-0000
TAYLOR	DONALD	104 TIMBERLAKE CT SUMMERVILLE	SC 29483-0000	TIMMERMANN	CARL	H 2000 HAMBURG 11 N WEST GERMANY	FA 00000-0000
TAYLOR	JILL	18 SPOILET DRIVE DERRY	NH 03038-0000	TISCHER	CARL	J RT 2 BOX 2548 LEWISTON	ME 19716-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

TISCHLER	MARJORIE	W RT 2 BOX 2548 LEWISTON	MI 49756-0000	
TITUS	MARK	9588 FOREST LANE 723 DALLAS	TX 75243-0000	
TOLBERT	LILLIAN	1151 BARWOOD BEND HOUSTON	TX 77065-0000	
TOLPIN	RANDALL	USALISC BOX 176 FT RUCKER	AL 36362-0000	
TOLSTON	JOE	S 1322 N BELLEVUE MEMPHIS	TN 38107-0000	
TORIB	FLORENCE	K 226 WALNUT ST BIRISTOL	PA 19007-0000	
TOMLINSON	COLLEEN	M 38 VIA ROMA WICHITA	KS 67230-0000	
TOMSON	E	TORONTO ONTARIO M4V 1 CANADA	FA 00000-0000	
TORSON	KITTIE	M TORONTO ONTARIO M4V 1 CANADA	FA 00000-0000	
TORPINKA	JUNE	E PO BOX 4604 CEDAR RAPIDS	IA 52407-0000	
TORBA	DOMINICK	C RR 2 BOX 254 ELM VALLEY RD THREE OAKS	MI 49128-0000	
TORRES	IVAN	2704 NW 52ND ST U7 LAWTON	OK 73505-0000	
TORRES	LUIS	B PUERTO RICO FAJARDO 00618 PR	FA 00000-0000	
TORTAS	DINOS	SOFIAS 36 TRIPOLIS GREECE	FA 00000-0000	
TORTAS	VASILO	SOFIAS 36 TRIPLOIS GREECE	FA 00000-0000	
TRESTAR	GLEN	H BOX 288 MONKTON	MD 21111-0000	

DEPARTMENT OF FINANCIAL INSTITUTIONS

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TREVINO	CONRAD	189 SNAPPER DR FORSYTH	MT 59327-0000	
TROMBOLD	DOROTHY	Y 115 WEDGEWOOD LANE HADDONFIELD	NJ 08031-0000	
TROST	JEFFREY	APT 6 285 S SUSSEX LANE CORDOVA	TN 38018-8039	
TROUP	BETTY	14613 N 53 AVENUE GLENDALE	AZ 85306-0000	
TROUT	JASON	D C BRY 5 52 ADA FT STEWART	GA 31314-0000	
TSAG	HONGYUI	SECTION 7 11137 TAIPEI CHINA	FA 00000-0000	
TSEHUNG	ZUNG	D 30 EUNICE RD WILLOWDALE ONT M2K 0A4 CANADA	FA 00000-0000	
TSHOUVAN	ZUNG	30 EUNICE RD WILLOWDALE ONT M2K 0A4 CANADA	FA 00000-0000	
TSCADOLE	LINDA	S 110 MORAN DR ANADARKO	OK 73005-0000	
TUNNELLA	BETTY	L 4404 S XENIA DENVER	CO 80237-0000	
TUPALA	D	M 40 S WILLOW ST MONTCLAIR	NJ 07042-3335	
TUPAZ	LOLITA	40 S WILLOW ST MONTCLAIR	NJ 07042-3335	
TURKEY FOOT CATTLE CO		RT 9 BOX 93 SAGINAW	TX 76139-0000	
TWOMBLY	CECELIA	PO BOX 52 TWIN LAKES	WI 53181-0000	
UJIFUSHIMAKOOL	TAWESAKDI	NO 5415 KA NAMDAE MOON RD CHOONG KOO 100 KOHEA	FA 00000-0000	
UNION BANK LITTLE ROCK		DRAWER 3318 732621 LITTLE ROCK	AR 72203-0000	

DEPARTMENT OF FINANCIAL INSTITUTIONS

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VARBONCOUER	JEFFREY	221 1 2 BROADWAY W BURLINGTON	IA 52655-0000
VAZQUEZ	LUIZ	B BTRY STAFF & FAC FT SILL	OK 73503-0000
VERNON	DAWN	M PO BOX 60 BELLS	TN 38006-0000
VETERANS ADMINISTRATION REGIONAL OFFICE	PO BOX 8136 LITTLE ROCK		AR 72203-0000
VICORP RESTAURANTS INC	PO BOX 16601 DENVER		CO 80216-0000
VIZCAYA	DIANE	D 5227 W WALTANN GLENDALE	AZ 85306-2522
VIZCAYA	JAMES	S 5227 W WALTANN GLENDALE	AZ 85306-2522
VOEGELE	JAMES	P REPUBLIC OF CHINA TAIWAN	FA 00000-0000
VRIEZEMA	BERT	716 ANDOVER S E GRAND RAPIDS	MI 49508-0000
VRIEZEMA	JOSEPHINE	C 716 ANDOVER S E GRAND RAPIDS	MI 49508-0000
W G EDMUND LEGAL DEPT	E 1 DUPONT DE NEMOURS WILMINGTON		DE 19898-0000
WABARA	OXFORD	E PO BOX 2373 DIOBU PORTHAR CT NIGERIA AFRICA	FA 00000-0000
WADDELL	SHARON	K 842 KING RICHARD DR WARNER ROBINS	GA 31088-0000
WADE	MINNIE	P 2511 WILLOWICK APT 210 HOUSTON	TX 77027-0000
WAHLBERG	MARJORIE	A BOX 79 NORTHVILLE	MI 48167-0000
WAHLBERG	R	F BOX 79 NORTHVILLE	MI 48167-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

UNITED BANK C COOK	711 HIGH ST DES MOINES	IA 50309-0000
UNIVERSITY OF CALIFORNIA RVINE		CA 00000-0000
UPD	PO BOX 2099 HOUSTON	TX 77252-0000
UPD	V APT B 405 850 S ONEIDA DENVER	CO 80224-0000
URBANSKI	A RR 1 BOX 620 WINTHROP	ME 04364-0000
URBANSKI	RR 1 BOX 620 WINTHROP	ME 04364-0000
USC BUSINESS PARTNERSHIP FOUNDATION	UNIV OF SOUTH CAROLINA COLUMBIA	SC 29208-0000
USGI INC	PO BOX 1601 DARIEN	CT 06820-0000
UWASAKI	1SESAKI 372 1742 2 MINAMISENCHI CHO JAPAN	FA 00000-0000
VAGLIS	DIGENI AKRITA 74 ATHENS GREECE	FA 00000-0000
VANARTWELP	209 WASHINGTON ST SCOTT CITY	KS 67871-0000
VANARTWELP	748 LOTT RD COLDWATER	MI 49016-0000
VANARTWELP	ZUIDERPARKLAAN 233 DEHANG HOLLAND	FA 00000-0000
VANCE	P 605 S E PETERSON LR ANKERY	IA 50021-0000
VANCE	L 3209 CLOUET ST NEW ORLEANS	LA 70126-0000
VANCE	M 1728 YOLANDA ST FT WORTH	TX 76112-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

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WALK	FRANCIS	A 1579 HENRY CLAY AVE NEW ORLEANS	LA	70118-0000
WALKER	BLANCHE	M 211 LINCOLNWAY PINE BLUFFS	WY	82082-0000
WALKER	JOE	A HHC MMC DISCOM FT POLK	LA	71459-0000
WALKER	MICHAEL	A B BTRY 1 31 ST FA FT SILL	OK	73503-0000
WALLACE	DICK	ROUTE 4 BOX 528 GATEVILLE	TX	76528-0000
WALSH	MARGARET	UPRL UPI 43G 99999 ENGLAND FA	FA	00000-0000
WANG LAB CANADA		CANADA	FA	00000-0000
WARD	DARRIN	PO BOX 953 IRMO	SC	29063-0000
WATKINS	ARLENE	PO BOX 641177 KENNER	LA	70064-0000
WATKINS	ELLA	P PO BOX 46 FORSYEH	GA	31029-0000
WATTERS	ZELMA	4225 S NONCHALANT CIRCLE COLORADO SPRINGS	CO	80911-0000
WEARINGS	WESLEY	R 109 MILLER ST FLORENCE	SC	29501-0000
WEBER	CHARLES	G DET 21 5TH SWS HAAR SAVANNAH	GA	31409-0000
WEGNER	EMMA	350 W 9TH ST ERIE	PA	16502-0000
WEISS	BARRY	400 BRIGHTON RD CLARKS GREEN	PA	18411-0000
WEISS	IRA	P 11 LILY POND COURT ROCKVILLE	MD	20852-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

WEISS	JAY	1127 MYRTLE ST SCRANTON	PA	18510-0000
WERBEL	SIDNEY	K BOX 132 IRVINGTON	NJ	07111-0000
WESAV MORTGAGE		PO BOX 15940 PHOENIX	AZ	85060-0000
WESLEY	MICHAEL	260TH FA FT RUCKER	AL	36362-0000
WEST AMERICA MORTGAGE		7900 E UNION AVE 500 DENVER	CO	80237-0000
WEST CHEVROLET INC		3450 AIRPORT HWY ALCOA	TN	37701-3235
WEST HILLS MOTORS INC		1092 BEERS SCHOOL RD CORAOPOLIS	PA	15108-2547
WESTAMERICA MORTGAGE		PO BOX 3368 ENGLEWOOD	CO	80155-0000
WHISNANT	BRIAN	44 PLEASANT VIEW BEVAR FALLS	PA	15010-0000
WHITE	COLLEEN	348 MYRTLE ST MANCHESTER	NH	03104-0000
WHITE	DENISE	9 BAINES ST MANCHESTER	NH	03104-0000
WHITE	JAMES	D E CO 3 19TH INF FT STEWART	GA	31316-0000
WHITE	SYLVESTER	1824 SECOND AVE DES MOINES	IA	50301-0000
WHITMAN	HAROLD	R 842 NE AINSWORTH PORTLAND	OR	97211-0000
WICKIZER	MILDRED	S 10406 N 106 DRIVE SUN CITY	AZ	85351-0000
WIDEMAN	MARY	6710 E GOLFLINKE 1049 TUCSON	AZ	85730-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

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WIEDEMEIER	ANTON	S APT C 107 ABINGTON COURT ABINGTON	PA	19001-0000
WIEDEMEIER	MARY	R APT C 107 ABINGTON COURT ABINGTON	PA	19001-0000
WIGGINS	ADRIAN	T HHC 3 19 INF FT STEWART	GA	31314-0000
WILDING	JEFFREY	J 3175 COX RD SUMTER	SC	29154-0000
WILE	GEORGE	4205 3RD AVE GRANT FALLS	MT	59405-0000
WILKERSON	KEVIN	R 5503 MONTGOMERY ST 14 SAVANNAH	GA	31405-0000
WILLIAMS	DEREK	L 409 S FAIRMOUNT PITTSBURG	PA	15232-0000
WILLIAMS	NATHAN	T 2518 GLENHAVEN DR OKLAHOMA CITY	OK	73110-0000
WILLIS	BRUCE	PO BOX 1909 JACARTA INDONESIA	FA	00000-0000
WILLIS	FERN	PO BOX 1909 JACARTA INDONESIA	FA	00000-0000
WILLIS	ROBERT	J B CO 3 7 INF FT STEWART	GA	31314-0000
WILLIS	WILLIAM	B 2655 LENOIR HALL RD H 8 CLARKSVILLE	TN	37040-0000
WILSON	GARY		IA	00000-0000
WILSON	SUSAN	3201 AMHERST HOUSTON	TX	77005-0000
WINSOR	FAITH	2 WILLOWBRIDGE RD LONDON N 1 ENGLAND	FA	00000-0000
WOHLAUER	SUSAN	A 1201 WILLIAMS 14A DENVER	CO	80218-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

WONDERLIC PERSONNEL TEST	NAME	ADDRESS	STATE	ZIP
		RIO DE JANEIRO RJ BRAZIL	FA	00000-0000
WOO	JOHN	C 272 HART ST SOUTHINGTON	CT	06489-0000
WOOD	MICHAEL	G SVC BTRY FT RILEY	KS	66442-0000
WOODS	VICTOR	2132 GLENCOE HILLS 6 ANN ARBOR	MI	48108-0000
WOOLFORD	DELORIS	PO BOX 3264 FOR MILLS	SC	29715-0000
WRIGHT	JOHNNY	7 GATES ST GREENVILLE	SC	29611-0000
WRIGHT	MARGRET	A 17626 SHADY SPRING TERR GAITHERSBURG	MD	20877-0000
YAMAGUCHI	CHIKARA	5650 1 TAMRA HIRTSK KANAGAWA	FA	00000-0000
YODER	JOHN	B HHC 3 19 INF FT STEWART	GA	31314-0000
YORIMOTO	HIROKUNI	31 NAKAQJI CHO KYOTO CTY JAPAN	FA	00000-0000
YOSHIOKA	BUNZO	HIGASHI GOTAWDA 5 22 33 JAPAN	FA	00000-0000
YOUNG	KIMBERELY	J TRF NSB KINGSBAY	GA	31547-0000
YOUNG	TIMOTHY	13112 NEW PARKLAND DRIVE HERNDON	VA	22071-0000
ZALES CORP		MAIL STATION 6B5 PO BOX 152753 IRVING	TX	75015-0000
ZIEGLER	NANCY	K 61 POCONOCK TRAIL NEW CANAAN	CT	06840-0000
ZINN	JOAN	202 E KEIM DR PHOENIX	AZ	85012-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF PUBLIC INFORMATION

POLLUTION CONTROL BOARD
NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

NOTICE PURSUANT TO 415 ILCS 5/7.2(b)

Section 22.4(a) of the Environmental Protection Act (Act) [415 ILCS 5/22.4(a)] requires the Board to adopt regulations that are "identical in substance" to USEPA RCRA Subtitle C rules adopted pursuant to Sections 3001 through 3005 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Sections 6921-6925). These rules are contained in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, 728, 733 (soon to be added), and 739.

On February 1, 1996, in R95-20, the Pollution Control Board adopted a proposal for public comment, which included a 45-page proposed opinion and a 314-page proposed order. Notices of Proposed Amendments and a Notice of Proposed Rules (totaling about 350 pages) will appear in the February 16, 1996 issue of the *Illinois Register* relating to that proposal.

In a segment of the proposed opinion of February 1, 1996, the Board entered the following pursuant to 415 ILCS 5/7.2(b):

EXPEDITED CONSIDERATION AND REASON FOR DELAY

Prior to commencing work on the present amendments, the Board received requests to expedite this docket. As described above, the Board granted expedited consideration by orders dated October 19 and December 7, 1995. The October 19, 1995 order also set forth reasons for delay in this docket--i.e., "present and recent-past demands on Board resources and personnel, including those associated with completing the prior update, R95-4/R95-6". Although the proposal of these amendments is later than was originally anticipated on October 19, this proposal for public comment represents a significant effort on the part of the Board to act as promptly as possible, given the magnitude of the amendments included in this [350+ page] docket and competing priorities for the Board and its staff. Assuming all the necessary work to complete this rulemaking occurs as rapidly as possible, the Board would anticipate adopting these amendments at a regularly-scheduled meeting in April, 1996, filing them with the Secretary of State 30 days later.

Direct questions about this Notice of Public Information or about this rulemaking proceeding to Michael J. McCambridge, at 312-814-6924

DEPARTMENT OF FINANCIAL INSTITUTIONS
NOTICE OF PUBLIC INFORMATION

ZINN	SHELDON	202 E KEIM DR PHOENIX	AZ	85012-0000
ZUBAY	ELI	A 1079 MASON WOODS DR ATLANTA	GA	30329-0000
ZUBAY	FRANCIS	E 1079 MASON WOODS DR ATLANTA	GA	30329-0000
ZUSTIK	JUSTIN	JURKOVICOVA 427 BREZOVA SLOVAKIA	POD BRADLOM FA	00000-0000
1ST GIBALTAR MTG CO		PO BOX 810199 DALLAS	TX	77271-0000

DEPARTMENT OF FINANCIAL INSTITUTIONS

NOTICE OF PUBLIC INFORMATION

(Internet: mccamb@pcb016rl.state.il.us). Please refer to docket number R95-20.

ILLINOIS REGISTER

COMMISSIONER OF BANKS AND TRUST COMPANIES

JANUARY 1996 REGULATORY AGENDA

Part(s) (Heading and Code Citation): Blacklist Prohibition; Ill. Adm. Code 302.

1) Rulemaking:

- A) Description: The rule would prohibit discrimination by any State chartered bank against any individual, corporation, partnership, association or other entity because he or she or it appears in a so-called blacklist issued by any domestic or foreign corporate or governmental entity.
- B) Statutory Authority: The proposed rule implements, and is authorized by, Section 6 of the Commissioner of Banks and Trust Companies Act, 20 ILCS 3205/6.

C) Scheduled meeting/hearing date: The Agency has not scheduled any opportunities for public participation as of the date of this notice, but public participation will be requested at the appropriate time.

D) Date agency anticipates First Notice: February 23, 1996

E) Effect on small businesses, small municipalities, and profit corporations: This proposed rule will not affect small businesses, small municipalities or not for profit corporations.

F) Agency contact person for information:

Dale R. Turner, Assistant General Counsel
Commissioner of Banks and Trust Companies
310 South Michigan Avenue, Suite 2130
Chicago, Illinois 60604
(312) 793-4120

G) Related rulemakings and other pertinent information: No other information is available as of the date of this notice.

Part(s) (Heading and Code Citation): Electronic Fund Transfer; Ill. Adm. Code 310.

1) Rulemaking:

- A) Description: Amendments to this Part are necessary as a result of the enactment of P.A. 89-310 (effective January 1, 1996), which repealed the Electronic Fund Transfer Transmission Facility Act ("EFTTFA") from which the rule

COMMISSIONER OF BANKS AND TRUST COMPANIES

JANUARY 1996 REGULATORY AGENDA

derived its statutory authority. P.A. 89-310 replaced the EFTTFA with the new Electronic Fund Transfer Act. Amendments to this Part would update references to the underlying statutory authority and eliminate any provisions rendered obsolete by the repeal of the EFTTFA.

- B) Statutory Authority: This rule implements and is authorized by Section 20(1) of the Electronic Fund Transfer Act, 205 ILCS 616/20(1).
- C) Scheduled meeting/hearing date: The Agency has not scheduled any opportunities for public participation as of the date of this notice, but public participation will be requested at the appropriate time.
- D) Date agency anticipates First Notice: March 29, 1996.
- E) Effect on small businesses, small municipalities or not for profit corporations: This rule will not affect small businesses, small municipalities or not for profit corporations.
- F) Agency contact person for information:
Dale R. Turner, Assistant General Counsel
Commissioner of Banks and Trust Companies
310 South Michigan Avenue, Suite 2130
Chicago, Illinois 60604
(312) 793-4120
- G) Related rulemakings and other pertinent information: None.

c) Part(s) (Heading and Code Citation): Hearing Procedures; 38 Ill. Adm. Code 390.

1) Rulemaking:

A) Description: The rules will establish, consolidate, and clarify uniform hearing procedures for (1) administrative hearings before the Illinois Commissioner of Banks and Trust Companies ("Commissioner") arising under the Illinois Banking Act, Electronic Fund Transfer Act, Corporate Fiduciary Act, and Foreign Banking Office Act; and (2) arbitrations by the Commissioner of disputes arising under the Electronic Fund Transfer Act. The rules regarding public hearings concerning proposed acquisitions of Illinois banks by out-of-state bank holding companies will be deleted, as the underlying authority for such rules was

COMMISSIONER OF BANKS AND TRUST COMPANIES

JANUARY 1996 REGULATORY AGENDA

removed by the enactment of P.A. 89-208 (effective September 29, 1995). The proposed rules amend 38 Ill. Adm. Code 390 and replace Subparts B & C of 38 Ill. Adm. Code 310, and 38 Ill. Adm. Code 392.

- B) Statutory Authority: The rules implement Sections 20 and 45 of the Electronic Fund Transfer Act, 205 ILCS 616/20 and 45/20 and implement and are authorized by Section 4b of the Illinois Banking Act, 205 ILCS 5/48, Section 20 of the Electronic Fund Transfer Act, 205 ILCS 616/20, Sections 5-6 and 5-1 of the Corporate Fiduciary Act, 205 ILCS 620/5-1 and 620/5-1, and Section 18 of the Foreign Banking Office Act, 205 ILCS 645/18.
- C) Scheduled meeting/hearing date: The Agency has not scheduled any opportunities for public participation as of the date of this notice, but public participation will be requested at the appropriate time.
- D) Date agency anticipates First Notice: March 29, 1996.
- E) Effect on small businesses, small municipalities or not for profit corporations: This proposed rule will not affect small businesses, small municipalities or not for profit corporations.
- F) Agency contact person for information:
Dale R. Turner, Assistant General Counsel
Commissioner of Banks and Trust Companies
310 South Michigan Avenue, Suite 2130
Chicago, Illinois 60604
(312) 793-4120
- G) Related rulemakings and other pertinent information: The other information is available as of the date of this notice.
- d) Part(s) (Heading and Code Citation): Applications and Notices; 38 Ill. Adm. Code 396.

1) Rulemaking:

A) Description: The rule, in addition to renaming Part 396 to address applications and notices by corporate fiduciaries will set forth the findings that the Agency must make to approve an application by a trust company to establish a branch office and the notice requirements for a bank

COMMISSIONER OF BANKS AND TRUST COMPANIES

JANUARY 1996 REGULATORY AGENDA

savings and loan association or savings bank that seeks to establish a trust branch office.

B) Statutory Authority: The proposed rule implements Sections 1-7(a) and is authorized by Section 5-1(a) of the Illinois Trust Fiduciary Act, 205 ILCS 620/1-7(a) and 620/5-1(a).

C) Scheduled meeting/hearing date: The Agency has not scheduled any opportunities for public participation until the date of this notice, but public participation will be requested at the appropriate time.

D) Date agency anticipates First Notice: March 29, 1996.

E) Effect on small businesses, small municipalities or not for profit corporations: This proposed rule will not affect small businesses, small municipalities or not for profit corporations.

F) Agency contact person for information:

Dale R. Turner, Assistant General Counsel
Commissioner of Banks and Trust Companies
310 South Michigan Avenue, Suite 2130
Chicago, Illinois 60604
(312) 793-4120

G) Related rulemakings and other pertinent information: No other information is available as of the date of this notice.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

STRATTON OFFICE BUILDING
ROOM D-1
SPRINGFIELD, ILLINOIS
10:00 A.M.
FEBRUARY 20, 1996

NOTICES: Due to Register submittal deadlines, the Agenda below is incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of state agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

Joint Committee on Administrative Rules
700 Stratton Building
Springfield, Illinois 62706

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGS

Banks and Trust Companies

Standards for Operation and Conduct of Corporate Fiduciaries (38 Ill Adm Code 399)

-First Notice Published: 19 Ill Reg 15290 - 11/13/95
-Expiration of Second Notice Period: 3/20/96

Children and Family Services

Placement and Visitation Services (89 Ill Adm Code 301)

-First Notice Published: 19 Ill Reg 15116 - 11/3/95
-Expiration of Second Notice Period: 3/15/96

Services Delivered by the Department (89 Ill Adm Code 302)

-First Notice Published: 19 Ill Reg 15120 - 11/3/95

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

-Expiration of Second Notice Period: 3/15/96

Commerce Commission

Standards of Service Applicable to 9-1-1 Emergency Systems (83 Ill Adm Code 725)

-First Notice Published: 19 Ill Reg 13632 - 10/6/95

-Expiration of Second Notice Period: 3/25/96

Repeal of Standards of Service Applicable to 9-1-1 Emergency Systems (General Order 207) (83 Ill Adm Code 725)

-First Notice Published: 19 Ill Reg 13663 - 10/6/95

-Expiration of Second Notice Period: 3/25/96

Corrections

Public Relations (20 Ill Adm Code 103)

-First Notice Published: 19 Ill Reg 15567 - 11/17/95

-Expiration of Second Notice Period: 3/2/96

Employment Security

Payment of Unemployment Contributions, Interest and Penalties (56 Ill Adm Code 2765)

-First Notice Published: 19 Ill Reg 15879 - 12/1/95

-Expiration of Second Notice Period: 3/6/96

Gaming Board

Riverboat Gambling (86 Ill Adm Code 3000)

-First Notice Published: 19 Ill Reg 7490 - 6/9/95

-Expiration of Second Notice Period: 2/22/96

Health Care Cost Containment Council

Data Collection (77 Ill Adm Code 2510)

-First Notice Published: 19 Ill Reg 15779 - 11/27/95

-Expiration of Second Notice Period: 3/6/96

Human Rights

Procedural (56 Ill Adm Code 2520)

-First Notice Published: 19 Ill Reg 15319 - 11/13/95

-Expiration of Second Notice Period: 3/3/96

Natural Resources

JOINT COMMITTEE ON ADMINISTRATIVE RULES

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Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)
-First Notice Published: 19 Ill Reg 16344 - 12/15/95
-Expiration of Second Notice Period: 3/15/96

Pollution Control Board

Special Waste Hauling (35 Ill Adm Code 809)

-First Notice Published: 19 Ill Reg 13182 - 9/22/95

-Expiration of Second Notice Period: 2/22/96

Professional Regulation

Clinical Social Work and Social Work Practice Act (68 Ill Adm Code 1470)

-First Notice Published: 19 Ill Reg 16015 - 12/1/95

-Expiration of Second Notice Period: 3/13/96

Public Aid

Medical Payment (89 Ill Adm Code 140)

-First Notice Published: 19 Ill Reg 14530 - 10/20/95

-Expiration of Second Notice Period: 3/11/96

Medical Payment (89 Ill Adm Code 140)

-First Notice Published: 19 Ill Reg 15581 - 11/17/95

-Expiration of Second Notice Period: 3/16/96

Medical Payment (89 Ill Adm Code 140)

-First Notice Published: 19 Ill Reg 15788 - 11/27/95

-Expiration of Second Notice Period: 3/15/96

Specialized Health Care Delivery Systems (89 Ill Adm Code 146)

-First Notice Published: 19 Ill Reg 14533 - 10/20/95

-Expiration of Second Notice Period: 3/2/96

Demonstration Programs (89 Ill Adm Code 170)

-First Notice Published: 19 Ill Reg 15572 - 11/17/95

-Expiration of Second Notice Period: 3/16/96

Demonstration Programs (89 Ill Adm Code 170)

-First Notice Published: 19 Ill Reg 16025 - 12/01/95

-Expiration of Second Notice Period: 3/16/96

Revenue

Property Tax Code (86 Ill Adm Code 110)

-First Notice Published: 19 Ill Reg 2394 - 3/3/95

-Expiration of Second Notice Period: 3/20/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

- Retailers' Occupation Tax (86 Ill Adm Code 130)
 -First Notice Published: 19 Ill Reg 14366 - 10/13/95
 -Expiration of Second Notice Period: 3/7/96
- Retailers' Occupation Tax (86 Ill Adm Code 130)
 -First Notice Published: 19 Ill Reg 14752 - 10/20/95
 -Expiration of Second Notice Period: 3/10/96
- Service Occupation Tax (86 Ill Adm Code 140)
 -First Notice Published: 19 Ill Reg 14765 - 10/20/95
 -Expiration of Second Notice Period: 3/10/96

State Fire Marshal

- Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances (41 Ill Adm Code 170)
 -First Notice Published: 19 Ill Reg 15125 - 11/3/95
 -Expiration of Second Notice Period: 2/29/96
- Storage, Transportation, Sale and Use of Gasoline and Volatile Oils (41 Ill Adm Code 180)
 -First Notice Published: 19 Ill Reg 15139 - 11/3/95
 -Expiration of Second Notice Period: 2/29/96

State Universities Civil Service System

- State Universities Civil Service System (80 Ill Adm Code 250)
 -First Notice Published: 19 Ill Reg 16518 - 12/15/95
 -Expiration of Second Notice Period: 3/17/96

EMERGENCY & PEREMPTORY RULEMAKINGSPublic Aid

- Food Stamps (89 Ill Adm Code 121) (Peremptory)
 -Notice Published: 20 Ill Reg 2229 - 2/2/96

Revenue

- Income Tax (86 Ill Adm Code 100) (Emergency)
 -Notice Published: 20 Ill Reg 1616 - 1/26/96

Secretary of State

- Procedures and Standards (92 Ill Adm Code 1001) (Emergency)
 -Notice Published: 20 Ill Reg 1626 - 1/26/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES

AGENDA

EXPEDITED CORRECTIONSAttorney General

Franchise Disclosure Act (14 Ill Adm Code 200)

Liquor Control Commission

The Illinois Liquor Control Commission (11 Ill Adm Code 100)

AGENCY RESPONSESCommerce and Community Affairs

State Administration of The Federal Community Services Block Grant Program (47 Ill Adm Code 120)

- First Published: 9/22/95
- Objection Date: 12/12/95
- Response: Agreements

Professional Regulation

Private Detective, Private Alarm and Private Security Act of 1993 (68 Ill Adm Code 1240)

- First Published: 9/22/95
- Objection Date: 12/12/95
- Response: Refusal

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of January 30, 1996 through February 5, 1996 and have been scheduled for review by the Committee at its February 20, 1996 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
3/15/96	Department of Children and Family Services, Placement and Visitation Services (89 Ill Adm Code 301)	11/3/95 19 Ill Reg 15116	2/20/96
3/15/96	Department of Children and Family Services, Services Delivered by the Department (89 Ill Adm Code 302)	11/3/95 19 Ill Reg 15120	2/20/96
3/15/96	Department of Natural Resources, Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)	12/15/95 19 Ill Reg 16344	2/20/96
3/15/96	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	11/27/95 19 Ill Reg 15788	2/20/96
3/16/96	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	11/17/95 19 Ill Reg 15581	2/20/96
3/16/96	Department of Public Aid, Demonstration Programs (89 Ill Adm Code 170)	11/17/95 19 Ill Reg 15572	2/20/96
3/16/96	Department of Public Aid, Demonstration Programs (89 Ill Adm Code 170)	12/01/95 19 Ill Reg 16025	2/20/96
3/17/96	State Universities Civil Service System, State Universities Civil Service System (80 Ill Adm Code 250)	12/15/95 19 Ill Reg 16518	2/20/96

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

3/20/96	Department of Revenue, Property Tax Code (86 Ill Adm Code 110)	3/3/95 19 Ill Reg 2394	2/20/96
3/20/96	Commissioner of Banks and Trust Companies, Standards for Operation and Conduct of Corporate Fiduciaries (38 Ill Adm Code 399)	11/13/95 19 Ill Reg 15290	2/20/96

Rules acted upon during the quarter of January 1 through March 31, 1996 are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 952 published in Issue 2 will be listed as 50-952-2. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-7017.

PROPOSED

35-218-1	68-1295-3	8-25-1	80-150-1
2-2500-2	68-1330-7	8-30-4	80-310-1
2-2501-2	68-1340-3	8-40-4	80-1650-7
8-281-1	68-1380-7	8-55-4	86-200-2
8-285-1	68-1450-6	8-60-6	89-102-2
8-505-1	68-1455-7	8-75-4	89-104-3
11-205-6	77-245-1	8-85-1	89-111-3
11-208-6	77-250-1	8-90-1	89-112-2
11-410-4	77-280-1	8-100-4	89-113-2
11-502-3	77-300-1	8-105-4	89-117-2
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17-670-6	77-1400-1	17-2575-2	89-338-4
17-1538-3	80-1200-2	32-610-3	89-402-4
20-107-1	80-1210-2	35-183-7	89-880-7
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20-801-4	80-3000-3	38-1070-1	92-1040-6
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20-1520-7	83-441-3	50-1104-1	
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23-2733-5	89-120-3	68-1160-6	
23-2755-5	89-140-3,4,6	68-1240-7	
23-2760-5	89-240-7	68-1247-6	
23-2761-5	89-312-2	74-420-2	
23-2762-5	89-335-2	74-440-2	
23-2763-5	89-640-6	77-245-7	
23-2764-5	89-1825-5	77-250-7	
23-2765-5	89-686-7	77-330-1	
23-2770-5	89-590-7	77-340-1	
23-2771-5	92-1001-4	77-350-1	
23-2790-5	92-1070-6	77-370-1	
32-320-6		77-390-1	
32-410-6		77-760-7	
32-505-1		77-905-6	
32-601-3		77-2070-7	
		77-2080-7	
		80-100-2	

ADOPTED

2-1900-1	
2-1901-1	
8-20-4	

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